

"What makes this situation more troubling is that the municipalities that are charging these rates are being subsidized by all Ohio taxpayers to maintain and expand their water and sewer infrastructure," Rep. Lanese said. "Moreover, these 'outside' ratepayers have no grievance policy or ability to affect their rate increases."

Rep. Emilia Sykes (D-Akron) questioned the impact on resident bills, especially if charging those customers more effectively reduces rates for other customers. "It seems as though with implementing this everyone's costs are going to go up to cover this," she said.

Responded Rep. Duffey: "It would actually lower costs and the reason is in the state of Ohio we do not have economies of scale."

Rep. Mark Romanchuk (R-Mansfield) questioned the reason for the original gubernatorial veto, which the administration at the time attributed to a potential development project with Foxconn. Was there any other reason given by the governor's office? he asked.

"It's hard to speculate," Rep. Duffey replied. "What I know is the Columbus business community...felt not that they disagreed with the premise of the amendment in the budget but that if there was going to be a retaliatory action by the city of Columbus it would just create static in the environment and they don't want that static to exist."

Rep. Dan Ramos (R-Lorain) questioned how communities can earn back costs if they are left on the hook of serving new township developments. Rep. Duffey answered that the service provider could charge to recoup actual costs under the plan.

HBWATER IMPROVEMENTS (Arndt, S., Patterson, J.) To allow equipment for the protection and **643**preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin.
(CONTINUED; 2nd Hearing-All testimony)

Agricultural groups spoke in support of the measure and touted their own efforts to adopt best practices and curb agricultural runoff. That's in response to criticism from environmental groups and other parties hoping for farmers to do more to address runoff fueling harmful algal blooms.

"Let the record show that our state's own farmer-led and farmer-organized associations have been, still are and continue to be willing partners with this General Assembly in promoting sound public policy that moves our farming community forward in becoming better stewards of healthy soils and clean water," said Mark Drewes on behalf of the Ohio Corn and Wheat Growers Association.

"Any one or any group that suggests that my fellow farmers and I have been absent in being part of the solution to improve farming practices and therefore improve water quality within the borders of our state have not been paying attention," he continued.

But Mr. Drewes, in response to a question from Rep. Bill Reineke (R-Tiffin), said he personally believes industry farmers should be prepared to move past the "self-regulation" phase and accept new regulations.

"I think we're at that point." Mr. Drewes told the lawmaker, adding that farmers traditionally "bristle" at the idea of regulations. "However, we fully own and recognize we have an issue in the lake."

Scott Metzger said on behalf of the Ohio Soybean Association that the group generally supports the measure's "targeted funding approach."

"House Bill 643 is an investment, by the state, in Ohio's farmers," Mr. Metzger said. "While this bill is a step in the right direction, we still have questions and concerns around the details of the targeted phosphorus reduction. We, as an agriculture community, have reached out to the bill's sponsors for clarification and OSA's support is contingent on the response to these questions."

Robert Brundrett, director of public policy services for the Ohio Manufacturers' Association, said in written testimony the measure "provides a thoughtful funding approach to address Lake Erie water quality issues" and a "prudent approach in providing resources that will improve the lake's water quality."

And the Ohio Dairy Producers' Association wrote that dairy farmers are "working tirelessly" to pursue best management practices. "ODPA strongly encourages the use of funds to include: manure storage, handling, transportation and application equipment," the group added.

Additional written proponent testimony was submitted by the Cattlemen's Association, the Pork Council, and the Poultry Association.

SB VOTING EQUIPMENT (LaRose, F.) To make supplemental operating appropriations for the FY 2018-FY 1352019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program. (**CONTINUED (No testimony)**; 2nd Hearing-All testimony)

Subscribers Note: For full testimony see the [committee's website](#) under May 22.

Public Utilities

HB ELECTRIC COMPANIES (Sprague, R.) To clarify the definition of "electric distribution company" for 143 kilowatt-hour tax purposes. (**CONTINUED**; 4th Hearing-All testimony)

Joseph Olikier, senior regulatory counsel for IGS Distributed Generation, said the proposal addresses the "flawed" interpretation the Department of Taxation has adopted in recent years regarding the applicability of the kilowatt hour tax.

He seconded proponents' prior claim that ODT has incorrectly determined that the exclusion from the tax for those who self-generate electricity is not available to those partnering with third parties.

"To ensure that Ohio businesses can deploy behind-the-meter generation utilizing modern-day financing arrangements, the General Assembly should move to correct this inconsistency in the statute," Mr. Olikier said. "The bill provides a simple and straightforward clarification to ensure that the law is applied as originally intended. IGS encourages this committee to vote in favor of its passage."

HB SUBMETERING (Duffey, M.) To permit the Public Utilities Commission to adopt rules governing 249 residential utility reselling. (**CONTINUED-SUBSTITUTE (See separate story)**; 6th Hearing-All testimony-Possible amendments & substitute)

HB WIND SETBACKS (Strahorn, F.) To alter the minimum setback requirement for wind farms of five or more 604 megawatts and to make the authorization of qualified energy project property tax exemptions permanent. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

Subscribers Note: For full testimony see the [committee's website](#) under May 22.

Government Accountability & Oversight

HB BODY CAMERAS (Antani, N., Craig, H.) To provide that specified portions of peace officers' body-worn 425 camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law. (**REPORTED-AMENDED**; 3rd Hearing-All testimony-Possible amendments & vote)

The committee voted unanimously to report the measure after accepting an amendment dealing with confidential law enforcement investigatory records.

The amendment allows records deemed confidential because of an investigation to be requested by the subject of the recordings or their representative after all legal cases are resolved, said Rep. Bill Seitz (R-Cincinnati), who offered the amendment.

Dennis Hetzel, president and executive director of the Ohio News Media Association, said the measure has the potential to be one of the nation's best laws involving body cameras.

He recommended a series of changes to the exemptions in the measure, including the confidential investigatory records provision addressed by the amendment.

Mr. Hetzel also suggested that an exemption seeking to limit access to records that would show grievous injury or violence against a member of law enforcement or a first responder not apply to journalists. Additionally, he requested that language protecting health care information be narrowed.

Lastly, he urged lawmakers not to include dash cam footage in the legislation, but to wait to tackle that issue after the proposed body camera footage changes have been evaluated.

"These matters notwithstanding, ONMA is please to support HB425," he said.

HB TAX CREDIT (Schuring, K., Patton, T.) To authorize a nonrefundable insurance company tax credit for **469** contributions of capital to transformational mixed use development projects. (**REPORTED-AMENDED**; 7th Hearing-All testimony-Possible amendments & vote)

The committee unanimously reported the proposal after accepting an amendment offered by chairman Rep. Louis Blessing (R-Cincinnati). The change adds having a floor area of 350,000 square feet or more to the qualifications for a project, he said.

HB DRUG PRICE INFORMATION (Lipps, S., West, T.) Regarding pharmacy benefit managers, pharmacists, **479** and the disclosure to patients of drug price information. (**REPORTED**; 4th Hearing-All testimony-Possible amendments & vote)

The committee voted unanimously to report the measure.

Rep. Scott Lipps (R-Franklin), one of the sponsors, pointed to a May 17 statement by Seema Verma, administrator of the federal Centers for Medicare and Medicaid Services, indicating desire at the federal level to limit gag orders by pharmacy benefit managers.

"We've been validated on a national basis of the gag clause rule that 479 addresses," he said.

The measure received written support from the National Community Pharmacists Association, which said it would protect patients by ensuring pharmacists can provide information to patients and prevent pharmacy benefit managers from inflating the patient's share of the cost of a drug.

HB MARIJUANA PAYMENTS (Seitz, B.) Relating to the closed-loop payment processing system under the **495** medical marijuana control program. (**CONTINUED-AMENDED (See separate story)**; 6th Hearing-All testimony-Possible amendments & vote)

HB TAX CREDIT (Schuring, K.) To extend eligibility for the motion picture tax credit to certain live stage **525** theater productions, to increase the maximum amount of credits that may be awarded from \$40 million to \$100 million per fiscal year, and to make other revisions to the law governing administration of the credit. (**REPORTED-SUBSTITUTE**; 6th Hearing-All testimony-Possible substitute & vote)

The measure was unanimously reported after the committee accepted a substitute bill described by Rep. Blessing as reducing the \$100 million proposed cap for the tax credits to the current \$40 million total. The credit, though, would still be expanded to Broadway productions. (Comp Doc)

SB AGENCY RULEMAKING (Uecker, J.) To reform agency rule-making and legislative review thereof. **221** (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor Sen. Joe Uecker (R-Loveland) said the measure would take steps to eliminate informal policy making by state agencies which should be accomplished via formal rulemaking.

The Joint Committee on Agency Rule Review would have the authority to call agencies before the committee to explain informal policies and to ask the agency to write a formal rule, he said. JCARR could also ask why rules have not been proposed if an agency is required to do so and review rules between the five-year rule review period.

The legislation would also require agencies to follow a process of self-examination to search for policies that should be formalized in rulemaking, and that a person may petition an agency to write rules if they have been partner to an adjudication, an order or a civil action, the sponsor said.

"Please join me in supporting common sense reforms that will simplify government and allow businesses throughout Ohio to thrive," he said.

Subscribers Note: For full testimony see the committee's website under May 22.

Criminal Justice

HB POLICE ANIMALS (LaTourette, S.) To increase the penalty for assaulting a police dog or horse and to **349** include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal. **■ (REPORTED (No testimony); 5th Hearing-All testimony-Possible vote)**

HB SEXTING (Hill, B., Rezabek, J.) To generally prohibit sexting by a person under 21 years of age. **355 ■ (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)**

HB PAROLE MONITORING (Hughes, J., Boggs, K.) To provide for indefinite prison terms for first or second **365** degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a **■** term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; to require the Department to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Act. **(REPORTED-AMENDED; 6th Hearing-All testimony-Possible amendments & vote)**

The committee accepted an amendment offered by Rep. Jeff Rezabek (R-Clayton) requiring the Sentencing Commission to create an ad hoc committee to study forms of supervised release.

In opponent testimony, Public Defender Tim Young warned that the measure will cost the state as much as \$191 million annually.

"Of this, \$143.5 million annually reflects the increased cost of incarceration, a 10.5% increase to the total prison population," Mr. Young said.

He pegged between \$31.6-\$44.7 million annually as coming from provisions to bring parole officer caseloads in line with the American Probation and Parole Association's published standards - a 33-44% increase in the number of field officers.

"Finally, the bill would cost another \$1.3-\$3.1 million annually to implement the GPS portions of the bill; roughly a 270-650% increase in the DRC budget for GPS monitoring," Mr. Young said.

Rep. Bill Seitz (R-Cincinnati) questioned how the measure differs with a companion version in the Senate that deals only with the sentencing aspect. Mr. Young said the differences are significant.

In written interested party testimony Michael Randle, president of the Ohio Community Corrections Association, also raised red flags about the impact on the prison system.

"The proposed changes in the substitute version of HB365 will require more prisons and beds that will add substantial capital and annual operating costs which need to be taken into consideration," he wrote.

HBMANDATORY BINDOVERS (Rezabek, J.) To eliminate mandatory and reverse bindovers, and modify the **394** procedures for discretionary bindovers, of an alleged juvenile offender from a juvenile court to a criminal court; to revise the procedures for determining the delinquent child confinement credit; to revise certain delinquent child financial sanction dispositions and procedures and establish a separate restitution disposition; and to provide special parole eligibility dates for persons with an indefinite or life sentence imposed for an offense other than aggravated murder or another crime involving the purposeful killing of multiple persons committed when the person was under age 18 and special Parole Board procedures in those cases. (**REPORTED** (See separate story); 4th Hearing-All testimony-Possible vote)

HB MASKED INTIMIDATION (Lang, G., Seitz, B.) To create the crime of masked intimidation, a **423** misdemeanor of the first degree. (**CONTINUED** (No testimony); 2nd Hearing-Proponent)

HBHUMAN TRAFFICKING (Fedor, T., Galonski, T.) To require a juvenile court to hold a delinquency **461** complaint in abeyance if the court has reason to believe that the act charged might be prostitution related or that the child might be a victim of human trafficking and to provide that the same elements for the offense of trafficking in persons that apply to a victim under the age of sixteen also apply to a victim who is age sixteen or seventeen. (**CONTINUED** (See separate story); 2nd Hearing-Proponent)

HBHUMAN TRAFFICKING (Dever, J., Gavarone, T.) To permit a person who is found not guilty or is the **56** defendant in a dismissed case to apply for an expungement of the person's records in the case if the complaint, indictment, or finding of not guilty resulted from the applicant having been a victim of human trafficking, to permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense, with certain exceptions, if the person's participation in the offense was a result of having been a victim of human trafficking, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (**SCHEDULED BUT NOT HEARD**; 4th Hearing-All testimony-Possible substitute & vote)


The bill was not heard after companion legislation (**SB 4**) cleared the committee, according to Chairman Rep. Nathan Manning (R-N. Ridgeville).

HBMOVING VIOLATIONS (Butler, J.) To authorize a law enforcement officer to arrest a driver of a motor **568** vehicle if the officer has probable cause to believe that the driver committed a moving violation and that the moving violation was a contributing factor in a motor vehicle accident that caused serious physical harm to or the death of another person, to authorize the officer to request a warrant to conduct a chemical test to determine whether the driver was under the influence of drugs or alcohol if there is probable cause to do so, to authorize the officer to order the administration of a chemical test under specified circumstances, to require the mandatory bindover (for trial as an adult rather than a juvenile) of a 16- or 17- year-old who is alleged to have committed aggravated vehicular homicide, and to designate this act as "Sophie's Law." (**CONTINUED**; 2nd Hearing-Proponent)

Janet Carpenter, whose daughter Sophie Marie Kerrigan is the namesake for the bill, urged passage of the measure so that something good can come of her daughter's death.

In her daughter's case, Ms. Carpenter said she was told there was no probable cause to charge the driver with a crime.

"Upon their arrival at the scene, they said they saw marijuana paraphernalia by the driver's feet and he admitted to smoking pot earlier that day," she said in written proponent testimony. "There were three broken, bloodied girls dead in the backseat. No probable cause? Ironically, because of no ramification to the individual who killed my child and two others that night, he has gone on to be in the news on more than one occasion for driving without a license, driving intoxicated, public intoxication, and on and on."

HBPUBLIC INDECENCY (Schaffer, T.) To require an offender who knowingly commits the offense of public **92** indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and  for the purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender. (REPORTED; 5th Hearing-All testimony-Possible vote)

Gary Daniels, chief lobbyist at the ACLU of Ohio, in opponent testimony called the sex offender registry and residency requirements "counterproductive."

"Sex offender registries and residency restrictions have now been in existence long enough for numerous studies to be conducted on their usefulness," he said. "What the research demonstrates is they are ineffective at best, and harmful at worst."


Mr. Daniels said the data shows they have not been effective in keeping people safe or reducing recidivism.

"As is the case with drug laws, Ohio needs to abandon that which does not work and focus on what does," he said.

Niki Clum, legislative liaison for the Public Defender's Office, in opponent testimony raised concern about language that criminalizes "conduct that to an ordinary observer appears to be sexual conduct."

"We live in a society where simulated sex acts, or conduct that appears to be sexual conduct, are everywhere," she said. "They are in advertisements, television shows, theatre performances, and are major parts of some dance culture. In each case, this behavior could appear to be sexual conduct to an ordinary observer. It is not hard to think of recent incidents when an individual's performance at a televised music event caused public outrage because of the sexual content of the performance."

SBHUMAN TRAFFICKING (Kunze, S., Oelslager, S.) To allow a person who is found not guilty of an **4** offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (REPORTED (See separate story); 5th Hearing-All testimony-Possible amendments, substitute & vote)

SBCRIMINAL LAWS (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by **66** including rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive  fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation. (REPORTED-AMENDED; 4th Hearing-All testimony-Possible amendments & vote)

Before hearing testimony, several amendments offered by Rep. Rezabek were accepted.

Among the changes, the amendments alter the eligibility for sealing felony records, with two requiring a wait of four years and five-year wait for three or more.

Delaware County Prosecutor Carol O'Brien, testifying on behalf of the Ohio Prosecuting Attorneys Association, raised concern about two provisions in the bill, including one to expand intervention in lieu of conviction.

"To be sure, prosecutors have no issue with intervention in lieu of conviction in appropriate cases," she said. "It is a valuable option for offenders with minimal criminal records. Prosecutors believe in the value of treatment and believe in second chances. There should be a point, however, at which someone can no longer obtain the benefit of having charges dismissed."

She also took issue with a portion of the bill to expand eligibility for record sealing.

"While the current focus of the General Assembly is on alleviating collateral consequences for low-level felony non-violent offenders and to treat them as pseudo-misdemeanants, we believe that calling something a felony means that the conduct has certain consequences," she said.

Ms. Clum said the measure "makes a number of relatively small changes to our criminal justice code that will have a big impact on improving the system and allowing individuals with low level felony offenses the chance to become productive members of society."

"A felony criminal record can severely hinder an individual's ability to obtain employment, housing, financial aid, professional licenses, and social services," she said in proponent testimony. "OPD supports SB66 because it makes important changes that allow individuals the opportunity to move past the criminal activity and become productive members of society."

Subscribers Note: Full testimony is available on the [committee's website](#) under May 22.

Federalism & Interstate Relations

HBGUN LAWS (Johnson, T., LaTourette, S.) To assign to the prosecution the burden of disproving a self-defense or related claim, to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and to modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. (**REPORTED (See separate story)**; 7th Hearing-Possible vote)

HBGRANT APPLICATIONS (Thompson, A.) To establish procedures that executive agencies must follow when applying for grants, to require the Governor to approve any major grant application, and to permit the Governor to disapprove any minor grant application. (**CONTINUED**; 2nd Hearing-Sponsor)

Sponsoring Rep. Andy Thompson (R-Marietta) said the bill is designed to "deconstruct the administrative state."

"Federal money coming into the state needs to be vetted because often there are strings attached to the money," he said. "We may have to alter the Ohio Revised Code in order to come into federal compliance, or the agency may have to write new rules and adopt new practices absent any input from elected officials. These rules, with which they must comply, are not written by Congress, but by bureaucrats in Washington."

HB CONCEALED WEAPONS (Perales, R.) To generally authorize a judge or magistrate who is a concealed handgun licensee to possess a concealed handgun in a courthouse or attached parking area, to expand the exemption from the offenses regarding illegal conveyance, possession, or control of a deadly weapon or dangerous ordnance into or in a courthouse for a judge or magistrate who is a licensee with respect to a concealed handgun, and to require a specified secure storage of the concealed handgun while in the

courthouse as a condition for application of the authorization and exemption. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsoring Rep. Rick Perales (R-Beavercreek) said the measure will serve as a deterrent for attacks like those on a judge in Steubenville last year.

"In response to this attack, Ohio's judges and magistrates have voiced their concerns over their personal safety. Local jurisdictions have taken matters into their own hands by creating local rules to permit carrying concealed weapons to and from their courts," he said. "These actions have created a patchwork of rules unique for every court, and with 323 units across the state, we have the potential for 323 different rules concerning concealed carry of firearms."

SB WEAPON POSSESSION (Terhar, L.) To allow a law enforcement officer or investigator, whether on or **208** off duty, to carry a weapon on certain premises open to the public. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Lou Terhar (R-Cincinnati) said the measure can help to protect soft targets.

"The purpose of this bill is to enhance the safety of public places and provide for a faster response in the case of an active shooter situation," he said. "We have seen an unfortunate increase in gun activity in venues where the perpetrator is sure no one else is armed. This bill would provide for well-trained individuals to respond to these types of incidents and force a perpetrator to factor in the possibility of armed resistance in what was once considered a 'soft target.'"

HCR JERUSALEM (Faber, K., Keller, C.) To recognize Jerusalem as the capital of the State of Israel. **26** (**REPORTED**; 2nd Hearing-All testimony-Possible vote)

Howie Beigelman, executive director Ohio Jewish Communities, said the measure aligns Ohio with longstanding American policy, dating back to President Harry Truman recognizing the state in 1948 immediately after its creation.

"Last week, the United States embassy was officially relocated from Tel Aviv to Jerusalem," he said. "This was long overdue, both from a legal standpoint, as well as a diplomatic one. Since that move, other nations have moved their embassies, and yet more have pledged to do so."

Michael Goldstein of Proclaiming Justice to the Nations, said the measure helps to rectify an injustice in not allowing Israel to recognize its own capital.

"This act is not just an honorific," he said. "It is vitally important, not merely because Israel is a fellow democracy and the only free nation in the Middle East where people of all religions may worship in safety, but because we share Israel's values."

Chris Long, president of the Ohio Christian Alliance, and Benjamin Mutti also provided proponent testimony.

Subscribers Note: Full testimony is available on the committee's website under May 22.

Economic Development, Commerce & Labor

HB INTERIOR DESIGNERS (Pelanda, D.) Regarding interior designers. (**REPORTED-SUBSTITUTE**; **504** 3rd Hearing-All testimony-Possible substitute & vote)

The panel reported the bill over the opposition of Rep. Bill Dean (R-Xenia), who was the only member to vote against the proposal. The vote came after the committee adopted a substitute version that sponsor Rep. Dorothy Pelanda (R-Marysville) said incorporates the suggestions from a number of organizations.

She said the intent of the bill remains to create a permissive certification process for educated and qualified commercial interior design professionals. Current law, she said, blocks many in the profession from practicing to

their fullest ability, putting Ohio businesses at a disadvantage.

Rep. Pelanda said she did not include in the substitute a request to define a kitchen and bath designer, saying that issue deserves more extensive debate and consideration. The new version, she said, clarifies that an interior designer doesn't need to obtain a certificate and specifies that the bill doesn't impact residential practitioners.

She said the bill addresses a number of concerns from architect interests, although several witnesses from the industry later testified in opposition. The sponsor said the new version doesn't prohibit professional standards afforded to architects.

Karen Planet, treasurer American Institute of Architects of Ohio, was one of many opponents to testify. She said interior designers play an important role, but raised concerns about creating a new regulatory system that would deal with up to 300 people.

She said interior design largely doesn't impact health, safety or welfare enough to require licensing, and argued that backers haven't shown any direct harm that is caused by unregulated interior design practices. If a regulatory board is formed, she said it should focus on public protection, rather than economic protection.

Another key issue, she said, is that some students pursuing interior design degrees have been led to believe that their studies will lead to a career path in architecture.

Tim Hawk, also representing the AIA of Ohio, appeared as an opponent. He said it is nearly impossible to have distinctions between the interior and exterior of a building, saying that this firm employs interior designers who are important to the success of a project.

Regardless, he said the bill sets the stage for interior designers to largely engage in architecture without a license.

Opposition was also relayed by architects Laurie Gunzelman of Gunzelman Architecture and Interiors and Robert Loversidge of Schooley Caldwell.

Louise Budde of Urban Kitchen & Bath also spoke in opposition. She said kitchen and bath remodelers have been hurt in other states that have passed similar legislation, requesting language that clarifies that those working in the industry won't have to seek the certificate.

Greg Lawson of the Buckeye Institute testified as an interested party, saying that Ohioans in many cases shouldn't have to seek permission from the state to earn a living.

"Yet, all too often, Ohio's occupational licensing requirements serve as 'permission slip' policies that make it harder-and sometimes impossible-for Ohioans and would-be Ohioans to pursue their careers and put food on the table for their families," he said. "Such policies must end."

While he said the bill does not technically require licensure for designers, the permissive certification would expand the scope of practice for those who are certified.

"Under the proposed bill, certified interior designers would be permitted to submit plans directly to building code officials rather than having to work under the direction or supervision of an architect or engineer, as is presently the case," he said. "These steps are better than prior proposals that would have required a license to be an interior designer. However, we continue to discourage the direct regulation of any specific profession unless there is a verifiable public safety risk."

Lisa Cini, president of Mosaic Design Studio, appeared in support. She said her design work that focuses on senior living, long term care and health care institutions is important for how buildings feel after they are constructed.

She said the bill accommodates many of the concerns that architects and others had raised.

"Most importantly, the permissive certification of interior designers would give potential clients another choice for interior projects," she said. "Since this permissive certification allows certified interior designers to submit their signature for permits, it allows interior designers to the full capacity of our training for projects within our specific scope. It creates more competition for interior projects and opens up opportunities for small interior design business, overwhelmingly owned by women. Furthermore, it establishes a credential that our clients know shows a minimum standard of competency in our profession. It gives the students from the six outstanding, accredited public interior design programs a reason to stay in Ohio.

Bryan Williams of the Associated Builders and Contractors of Ohio testified in support. He said the bill, in a way, deregulates work in the industry by creating a new form of regulation.

Under the change, he said certified interior designers can submit plans without having to work through a licensed architect. He said much of the construction work in Ohio is done on a design-build basis, with work on the building and design moving along hand in hand.

Responding to committee questions, Mr. Williams said some of the concerns related to safety of interior design changes are a bit overstated, and that arguments like that are common in turf wars. Overall, he said construction projects require collaboration by architects and designers.

HB EARNING STATEMENTS (Kelly, B.) To require an employer to provide earnings and deductions **542** statements to each of the employer's employees. (CONTINUED; 1st Hearing-Sponsor)

Rep Brigid Kelly (D-Cincinnati) told the panel her proposal would require employers to provide employees access to pay statements. The issue, she said, was driven by a constituent who found out through her W-2 form that her pay had been reduced after the buyout of the company for which she worked.

Rep. Kelly said Ohio is one of nine states that doesn't require the release of that information. The bill makes sure Ohio workers have important information that employers are already required to maintain, she said. It also helps prevent wage theft.

HB MINOR WORKERS (Perales, R., Romanchuk, M.) Regarding hazardous occupations prohibited for **551** minors and providing training to certain minors employed in a construction or manufacturing occupation. (CONTINUED; 1st Hearing-Sponsor)

Rep. Rick Perales (R-Beavercreek) said the bill opens the door for 16- and 17-year-olds to get experience in the construction and manufacturing fields - two areas that they might not be exposed to otherwise.

He said employers would first make sure that the minors are properly trained on equipment they might be using.

Rep. Mark Romanchuk (R-Mansfield) said there is a significant need for workers in the manufacturing field, and added that the bill could help direct young workers toward that industry. The bill, he added, helps with career exploration.

HB CIGARETTE PRICES (Scherer, G., Cera, J.) Regarding cigarette minimum pricing. (SCHEDULED **566** BUT NOT HEARD; 1st Hearing-Possible vote)

HBOCCUPATIONAL LICENSING (Henne, M.) To limit the occupational license and registration **583** requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. (CONTINUED; 1st Hearing-Sponsor)

Rep. Michael Henne (R-Clayton) said the proposal would make the state the key licensing entity for several professions, limiting the ability of local officials to impose a local licensing structure.

"With tens of thousands of licensing restrictions in place in Ohio, we are preventing rather than providing opportunities for people through local licensing fees. For example, in Canton to become a general contractor, plumber, or electrician you need to pay an additional \$225," he said. "To be a plumber in Dayton costs an additional \$250 to work, and that expense rises to \$350 for already state-licensed contractors in Columbus. Each of these individuals already have a state license but for some reason these cities pile on an additional license and barrier. These fees are designed to protect special interests, not safety."

The sponsor said local governments shouldn't create new licenses that impact people who are trying to get jobs.

Rep. Thomas West (D-Canton) said local licensing allows issues to be addressed locally, but Mr. Henne said trades already have licensing boards in place. He further said that local permit fees cover the costs that local governments face in conducting inspections of work that is done.

"It's about eliminating these barriers for people to work," Rep. Henne said. "You shouldn't have to pay everybody because you want to be a plumber."

HB GLOBAL MARKETS (Barnes, J.) To establish the "Access to Global Market Opportunities for Ohio 600 Manufactured Products Program" to be composed of the "Ohio Global Leadership Initiative" and the "Global Initiative on International Relations" to create new, untapped global markets for Ohio businesses and thereby promote job creation, and to make an appropriation. (CONTINUED; 1st Hearing-Sponsor)

Rep. John Barnes (D-Cleveland) said his proposal would help connect small local businesses with global markets by using ambassadors for the state. The measure, he said, would look to help businesses connect with international contacts who can help spur relationships.

He said the government wouldn't get involved in private sales of a product, but would only help facilitate those sales.

Rep. Michael Sheehy (D-Oregon) questioned whether the process would duplicate some of the services that JobsOhio provides. Mr. Barnes said he's supportive of JobsOhio, but added that the entity doesn't have enough funding and staff to support the international sales efforts of smaller companies.

HB OVERTIME PAYMENTS (Kelly, B., Smith, K.) To raise the salary threshold above which certain 605 employees are exempt from the overtime law. (CONTINUED; 1st Hearing-Sponsor)

Rep. Kelly said the proposal would assure overtime pay for 350,000 Ohioans who don't currently receive overtime pay by raising an existing salary threshold that hasn't been adjusted since the presidency of George W. Bush.

As a result, she said Ohio workers lose out on \$123,000 in lost wages on a daily basis.

Rep. Kent Smith (D-Euclid) said the bill makes sure that Ohioans who work overtime receive pay for their efforts, and added it would help spur the economic fortunes of the middle class.

HB AUXILIARY CONTAINERS (Lang, G., Lipps, S.) To authorize a person to use an auxiliary container for 625 any purpose, to prohibit a municipal corporation, charter county, or limited home rule township from imposing a tax or fee on auxiliary containers, and to clarify that the existing anti-littering law applies to auxiliary containers. (CONTINUED; 1st Hearing-Sponsor)

Rep. George Lang (R-West Chester) said the bill would create clarity and uniformity by allowing a person to use an auxiliary container - in this case most often a plastic bag - for any purpose and preventing local governments from taxing or limiting use of the bags. The measure, he said, makes it clear that auxiliary containers are subject to anti-littering laws.

While no Ohio local governments have imposed taxes on the bags, he said that could happen at any time.

The sponsor added that studies show 77.7% of bags are reused. At one time during the hearing, he placed a plastic bag on his head to demonstrate his own occasional use of bags to keep his hearing aid dry.

Rep. Scott Lipps (R-Franklin) said many businesses that use auxiliary containers - particularly retailers - would be negatively impacted by potential local government limitations. Those regulations add complexity and cost to doing business in Ohio, he said. The issue would be especially problematic for companies that operate close to Ohio's borders with other states.

Education & Career Readiness

HB FINANCIAL LITERACY (Hagan, C., McColley, R.) To require one-half unit of financial literacy in the 108 high school curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (**REPORTED (No testimony)**; 6th Hearing-All testimony-Possible vote)

HB SCHOOL CHOICE (Koehler, K.) To eliminate the Educational Choice Scholarship Pilot Program and 200 Pilot Project Scholarship Program and to create the Opportunity Scholarship Program. (**CONTINUED**; 9th Hearing-All testimony-Possible vote)

Alyson Miles, director of government affairs for the American Federation for Children, urged passage of the measure.

"The move to an income-based program is the step in the right direction for Ohio," she said. "Our current programs, while great stepping stones for school choice in this state, leave many students in low- and middle-income families behind."

Rep. Dan Ramos (D-Lorain) asked why the measure makes scholarship funds available to students whose family income is up to 400% of federal poverty guidelines.

"That's not what I would consider low income," he said, adding that requirements for food and medical assistance often are stricter.

Ms. Miles said she thinks the importance of education to success later in life supports the relaxed guidelines.

Rep. Kyle Koehler (R-Springfield), the measure's primary sponsor, said he thinks the guidelines are appropriate because "in the state of Ohio we've made a commitment that we'll educate all kids K-12."

Kim Preston, Midwest regional legislative director for Excellence in Education in Action, said her organization also supports the measure.

"Family income should not be the barrier standing in the way of any student receiving a great education tailored to his or her needs," she said. "At the end of the day, parents know their children, and they ought to be empowered to select the best educational options for them."

Multiple members of school boards representing public districts submitted written testimony opposing the measure.

Richard Smith, member of the Marysville school board, said that the measure eventually could lead to more frequent levy requests to support public school districts.

"This money has to come from some place," he said. "I can't believe that cuts will be made to other state funding programs and the current funding level maintained for schools. I believe that passage of Substitute HB200 will further a shift from state tax dollars to greater reliance on local property tax dollars to provide education to Ohio's children."

Christine Varwig, a member of the Toledo school board, said the measure would "continue to siphon away precious state dollars" from public schools.

Patrick Schymanski, president of the Elida school board, said the legislature should move to eliminate the cap on funding to growing districts before it passes such a measure.

HB STUDENT EXPRESSION (Ginter, T., LaTourette, S.) Regarding student religious expression and to **428** entitle the act the "Ohio Student Religious Liberties Act of 2018." (**REPORTED**; 4th Hearing-All testimony-Possible vote)

Rep. Kent Smith (D-Euclid) introduced two amendments, both of which were rejected in party-line votes.

He said the amendments would have included fasting and wearing head scarves as protected forms of religious expression.

Chairman Rep. Andy Brenner (R-Powell) said he encouraged the committee to reject the amendments because the legislation already was "all encompassing."

The committee ultimately reported the measure in a party-line vote.

HB YOUTH SUICIDE (Anielski, M.) With regard to educator inservice training on youth suicide awareness **502** and prevention in public schools. (**REPORTED-SUBSTITUTE**; 3rd Hearing-All testimony-Possible substitute & vote)

The committee unanimously voted to report the measure after Rep. Marilyn Slaby (R-Akron) offered a substitute version that was accepted with no objections.

Chairman Brenner said the updated version requires public school employees undergo suicide-awareness training once every two years, instead of annually as required by the original bill.

HB TEACHER EVALUATIONS (Gavarone, T., Manning, N.) With regard to teacher evaluations. **540** (**REPORTED (No testimony)**; 4th Hearing-All testimony-Possible vote)

HB SCHOOL YEAR (Arndt, S.) To generally require public and chartered nonpublic schools to open for **549** instruction after Labor Day. (**CONTINUED**; 2nd Hearing-Proponent)

Bryan Ralston, president of the Lake Erie Marine Trades Association, said in proponent testimony there is precedent that suggests the legislation would be a boon for businesses without negatively affecting students.

"Michigan has required public schools to start after Labor Day since the 2006-07 school year. This initiative in Michigan has spurred economic growth in tourism, and has not decreased the value of a classroom education to our knowledge," he said.

Rep. Slaby asked why local school districts should not determine what's best for its students.

Mr. Ralston said Michigan's example simply shows the change can be beneficial for both businesses and students.

Rep. John Patterson (D-Jefferson) said he thinks many districts have decided to start earlier in the year because of concerns about scheduling for state-required tests. He asked Mr. Ralston if his group would support efforts to relax state testing requirements in addition to this measure.

Mr. Ralston said he would have to check with members of his group before offering an opinion.

Rep. Koehler asked what other neighboring states start school after Labor Day and how Ohio's proposed shift would affect tourism. Mr. Ralston said he would have to conduct additional research on the topic.

Melinda Huntley with the Ohio Travel Association said early starts to school years can cause seasonal businesses to reduce their hours or shorten their seasons in reaction to a lack of available employees. She said students also lose out on a chance to hone skills necessary to later succeed in business.

"Summer work experience has been proven crucial for long-term success in (many) jobs," she said.

Rep. Ramos asked if the legislation would cause problems for teachers seeking to continue their educations at universities, which often mirror local school district's schedules.

Ms. Huntley said districts could add slightly to the length of their days and not have to push much later in the year if the change goes into effect.

"It may not interfere with the end of the school year as much as we think it does," she said.

Rep. Ramos said he also has concerns lengthening the school day could have negative consequences to student learning.

Other lawmakers questioned the necessity of the legislation.

Rep. Catherine Ingram (D-Cincinnati) said she believes conversations about school start times already are occurring at the local level, while Rep. Steve Hambley (R-Brunswick) said he has not heard a "public outcry" for change.

Howard Call, executive director of the Ohio Fair Managers Association, in written testimony said summer jobs often serve as alternative educational experiences for youngsters.

"Traditional school classrooms should not have a monopoly on student learning," he said. "OFMA believes there is a lot of learning and growth is happening for these young people that are participating in their county fairs through summer employment and 4-H activities."

Chip Hanawalt, president of the Ohio Campground Owners Association, shared a similar sentiment in written testimony, adding campgrounds and other outdoor spaces can serve as settings for "hands-on learning activities."

David Drake, president of the Greater Ohio Showmen's Association, in written testimony said the amusement industry group also supports the legislation.

"Over the years we have seen schools starting earlier and earlier, forcing our seasonal employments to be cut short," he said. "We in turn lose valuable, qualified employees and scramble to find help to finish our county fair season."

HB SCHOOL REPORT CARDS (Duffey, M.) To revise the state report card rating system for school districts **591** and public schools. (CONTINUED (See separate story); 2nd Hearing-All testimony)

HB EDUCATOR LICENSES (Stein, D., Retherford, W.) With regard to qualifications for obtaining a **628** resident educator license. (CONTINUED; 1st Hearing-Sponsor)

Rep. Dick Stein (R-Norwalk) said in sponsor testimony the measure could aid rural districts that have a difficult time attracting educators as the number of college students pursuing education degrees falls.

"Our bill does not create a new pathway, but rather recognizes successful private, non-profit teacher development programs to fulfill the BS in education requirement for licensure," he said.

Rep. Patterson said he recognizes a problem exists and asked Rep. Stein and the bill's primary co-sponsor, Rep. Wes Retherford (R-Hamilton) why they think fewer people are pursuing education degrees.

Rep. Stein said he thinks some students may see a degree in education as a narrow pathway, unlike areas of study that may offer broader opportunities, such as business.

Rep. Ingram asked if the problem is that institutions of higher learning are often located too far away from rural communities for potential educators to attend.

Rep. Retherford said there are areas of the state where it's a long drive to the nearest college or university.

Rep. Ingram said solutions already exist to some of the problems cited by the sponsors. She said industry professionals already are allowed to teach in career and technical schools, while potential teachers who live far away from colleges can take online courses.

SB SCHOOL REGULATIONS (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding **216**the administration of preschool and primary and secondary education programs. **(CONTINUED; 2nd**
Hearing-All testimony-Possible amendments & vote)

Chris Pfister, superintendent of the Waynesfield-Goshen school district, said his previous experience working with private-sector employees as a career center administrator helped him conclude the state's k-12 education system is over-regulated and too complex. At the request of Sen. Huffman, the measure's sponsor, Mr. Pfister formed a steering committee of eight superintendents to study possible ways to improve the state's system through deregulation.

"We are not afraid of accountability and are held accountable by our communities and our local elected board of education officials," he said. "Much of the legislation we are trying to deregulate is in reference to those laws that were initiated as a one-size-fits-all action."

Rep. Ramos said one provision in the bill creates costs related to textbooks for certain families who have students who participate in the College Credit Plus. He asked Mr. Pfister how that provision does anything other than hurt students.

Mr. Pfister said a number of superintendents he has talked to have said students should have some financial responsibility for the program in order to control some of the costs that are passed on to local districts.

Rep. Patterson asked if provisions that ease restrictions on what grades and subject areas educators can teach could be used to punish teachers or hasten their retirements.

Mr. Pfister said loosening the rules would give districts, especially rural districts that can have trouble attracting talent, the flexibility to put educators in needed roles.

"It's about getting the best person in front of kids. That's all that it's about," he said.

Robert Sommers, co-founder of CF Educational Solutions, said he previously advocated for a number of the reforms targeted by the deregulation measure as director of the Governor's Office of 21st Century Education. He said the regulations have not produced the expected results.

"The people who put these laws in place were also well intentioned, guided by a fervent desire to improve the future of Ohio children, and to assure Ohio was competitive in the global economy," he said. "After nearly a decade, however, the results show we must move on from these reforms because they haven't delivered on our vision."

Tim Katz, the executive director of the Ohio Alliance for Arts Education, in written testimony said his group approves of the measure's proposed changes for the Ohio Teacher Evaluation System and professional development requirements for teachers of gifted students, but had worries about other parts of the legislation.

"We believe that some of the changes in the bill do not go far enough to address our concerns about teacher preparation and licensure," he said. "We are concerned about the potential negative impact that this bill could

have on education programs and students, who deserve well-trained teachers in all their classes so that they can achieve at the highest levels."

Mr. Katz said his group also is requesting an amendment that specifies all arts courses be taught by a teacher who holds a multiage license in a specific artistic discipline.

Rep. Brenner said an amendment to address Mr. Katz concerns should be discussed at the committee's next meeting, which is scheduled for 9:30 a.m. Wednesday.

Chad Aldis, vice president for Ohio Policy and Advocacy at the Thomas B. Fordham Institute, said his group also backed changes to OTES and teacher licensing requirements in the legislation. He said the organization does not support a provision that would set 30 as the minimum number of students in a group, or "n-size," for the data on that group to be included on a district report card.

Mr. Aldis said increasing the "n-size," which currently is set at 10 students, would let smaller school districts avoid the state accountability system.

"Overall, there's a lot like to like about SB 216. But the provision to increase the state's 'n-size' must be removed," he said.

Rep. Brenner asked Mr. Aldis if "n-size" of 20 would be better. He said he's heard concerns from school administrators that if the number remains at 10, individual students could be identified through the data.

Mr. Aldis said privacy is an important concern, but added federal privacy law allows 10 to be used as "n-size."

Rep. Ramos asked if changing increasing the threshold for reporting would make it difficult to see if many English language learners are progressing.

Mr. Aldis said it's possible those students could be overlooked if the change moves forward.

Rep. Patterson said he sees both sides to the dilemma and wonders if there's a compromise.


Subscribers Note: Full testimony is available on the [committee's website](#) under May 22.

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extracurricular activities and interscholastic athletics.

Civil Justice

HB 63

CHILD ABUSE REPORTING (Pelanda, D., Grossman, C.)

To require mandatory reporters of child abuse or neglect to notify the county public children services agency when an attorney in fact under a document that purports to grant parental rights requests services from them, to require the agency to investigate the child's placement with the attorney in fact, and to require the agency to file a dependency complaint if it determines that the placement is unsafe for the child.

CONTINUED (See separate story)

HB 432

ESTATE LAW (Cupp, R., Rezabek, J.)

To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act.

CONTINUED

HB 451

PROTECTION ORDERS (Boose, T.)

To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding.

CONTINUED

HB 463

MORTGAGE FORECLOSURES (Dever, J.)

To establish expedited actions to foreclose mortgages on vacant and abandoned residential properties, to permit private selling officers to conduct judicial and execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure actions, to revise the Commercial Paper Law relating to mortgages and lost instruments, and

to make other changes relative to foreclosure actions.

CONTINUED

HB 493

CHILD ABUSE REPORTING (Sears, B., Ryan, S.)
To make changes in the child abuse and neglect reporting law.

CONTINUED

SB 358

DIGITAL ASSETS (Oelslager, S.)
To adopt the Revised Uniform Fiduciary Access to Digital Assets Act.

CONTINUED

State & Local Government

HB 276

CHIROPRACTORS (Schuring, K.)
To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices.

CONTINUED

SB 306

DAY DESIGNATION (Yuko, K.)
To designate July 8 as "Harrison Dillard Day."

CONTINUED

SB 322

POLICE TRAINING (Hite, C.)
To require the Ohio peace officer training commission to develop and conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police.

CONTINUED

SB 347

PRIMARY ELECTIONS (LaRose, F.)
To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election.

CONTINUED

SB 356

GAMING LAWS (Coley, B.)
To classify fantasy sports and betting on the outcome of an E sports contest as schemes of chance, and to grant the Ohio Casino Control

Commission authority to regulate pools not conducted for profit.

CONTINUED (See separate story)

Energy & Natural Resources

SB 320

RENEWABLE ENERGY (Seitz, B.)

To revise the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit property owners to petition municipal corporations and townships for the purpose of developing and implementing special energy improvement projects, to govern condominium association participation in special improvement districts, to require deployment and permit cost recovery of advanced energy analytics technology by electric distribution utilities, and to revise the law governing net metering service provided by electric utilities and electric services companies.

SB 333

ENVIRONMENTAL LAWS (Hite, C.)

To revise specified laws relating to environmental protection.

SR 589

IVORY TRADE (LaRose, F.)

To encourage the implementation and full enforcement of rules adopted by the United States Fish and Wildlife Service for the protection of the African elephant from the illegal ivory trade.

Transportation, Commerce & Labor

HB 154

BICYCLE OPERATIONS (Henne, M., Sheehy, M.)

To provide that when a motor vehicle passes a bicycle the safe passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights.

CONTINUED

HB 341

TRANSPORTATION LAWS (Young, R., Sweeney, M.)

To require the Public Utilities Commission to raise the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to

establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law.

CONTINUED

HB 455

BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.)

To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone.

CONTINUED

HB 532

REAL ESTATE SALES (Smith, R.)
Relating to real estate brokers and salespersons.

CONTINUED

SB 337

ROAD NAMING (Hughes, J.)
To designate a portion of Interstate Route 270 in Franklin County as the "Hilliard Patrol Officer Sean Johnson Memorial Highway."
REPORTED

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OHIO REPORT TUESDAY, NOVEMBER 15

Senate Energy Freeze Changes Substitute Mandates For Goals

Superintendents Seek Easing Of New Graduation Requirements

Obhof Elected Senate President; Schiavoni To Lead Democrats Again

House Panel Discusses Outreach Models In Review Of Infant Mortality Bill

Senate Panel Targets Adoption-Related Human Trafficking

House Opioid Discussion Centers On Methadone Clinics

Task Force Reviews Gas Tax, Rise Of Alternative Fuel Vehicles

Lawmaker Floats Plan To Expand Gaming, But Chairman Skeptical

FirstEnergy, Opponents Request PUCO Rehearing In PPA Case

Reports: County Birth Outcomes Examined; Small Towns Often Have Big City Problems; Occupational Licensing Hinders Military Families

Court: Judge Erred In Consolidating Medical Malpractice Cases

Stivers Chosen To Lead GOP Campaign Arm

Attorney General's Opinion

Governor's Appointments

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Education

Energy & Natural Resources

State & Local Government

Civil Justice

Transportation, Commerce & Labor

House Committee Hearings

Financial Institutions, Housing & Urban Development

Education

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Volume #85, Report #220 -- Tuesday, November 15, 2016

Senate Energy Freeze Changes Substitute Mandates For Goals

Ohio's soon-to-resume renewable energy and energy efficiency mandates would be converted into unenforceable goals for the next three years, under a new version of legislation that was taken under consideration by a Senate panel on Tuesday.

The substitute bill (SB 320) is similar but not identical to a draft version shopped around this summer by sponsor Sen. Bill Seitz (R-Cincinnati). (See Gongwer Ohio Report, September 20, 2016)

But it's similar enough - especially with the three year goal approach - to guarantee environmental groups and others who opposed to watering down the mandates will continue to be up in arms.

Among changes in the sub bill is language to decrease the energy efficiency standard from a cumulative 22% by 2027 to 17% - an idea Sen. Seitz said stemmed from a recent report examining potential new jobs should the mandates be restored. (See Gongwer Ohio Report, October 24, 2016)

Some other changes compared to the as-introduced version include:

- Expanding the industrial opt-out to include "mercantile" customer class which consists of those using at least 700,000 kilowatt hours per year;
- Permitting water efficiency and heat rate improvements to count toward energy efficiency goals, and;
- Modifying language to state the OEPA director may develop, but not implement without new statutory authority, a regional cap and trade plan.

The Senate Energy & Natural Resources Committee adopted the sub bill before opening the floor up to proponent testimony.

Chairman Sen. Troy Balderson (R-Zanesville) said in an interview he tentatively plans for the committee to meet Nov. 22 for a third hearing on the bill, which will likely feature opponent testimony.

Michael Kurtz, speaking for the Ohio Energy Group, called the three-year goal approach a "three-year freeze extension."

In supporting the bill, he agreed with Sen. Seitz that the state should forgo such mandates until the legality of the Clean Power Plan is determined. Despite that, he said the CPP is less of a concern to the group given the U.S. Supreme Court's stay on the plan and the election of Donald Trump, who has promised to curtail regulations rolled out under President Barack Obama.

Ohio Chamber of Commerce Director of Energy and Environmental Policy Zachary Frymier said the bill offers two central provisions that may help alleviate compliance costs concerns among Chamber members.

"First, this legislation would ensure that policies, practices and programs designed and implemented with energy efficiency in mind count toward compliance with the mandates," he said.

"Second, this legislation would expand the ability of customers to take advantage of the streamlined process created in SB 310 to allow for opting out of a utility's energy efficiency portfolio plan."

Longtime energy attorney Sam Randazzo also praised the bill.

"At customers' expense, Ohio's electricity portfolio mandates pick winners and losers based on expectations that existed in 2007 and 2008," Mr. Randazzo said. "And the expectations that existed in 2007 and early 2008, when Ohio adopted electricity supply-side and demand-side mandates, are very different than today's realities. They are also very different than reasonable expectations about the future."

But he did make several suggestions on how to revise the bill, including that language be modified to ensure the Public Utilities Commission of Ohio or interest groups will view the mandates as running in perpetuity.

"I direct your attention to this language in the hope that you will substitute language that makes it clear that the life of all of the mandates end no later than Dec. 31, 2027," he said.

He went on to question a line stating the state should "encourage electric distribution utilities to make available to their customers meaningful and cost-effective energy-savings programs," as being too broad - an idea Sen. Seitz questioned.

The line was taken nearly straight from the Energy Mandates Study Committee's recommendation, Sen. Seitz argued, questioning why the state wouldn't want to encourage that practice.

"You may believe the language is innocent," Mr. Randazzo said. "Words like these will be used to create bonuses or other devices to encourage compliance."

Sen. Shannon Jones (R-Springboro) questioned the bill's provision pushing back implementation of the industrial opt-out component from the EMSC's recommended 2019 to the bill's 2020.

Mr. Randazzo said members of the OEG have some "tolerance" for that delay given the state's desire to synchronize the opt-out component with the compliance plans. Mr. Frymier, meanwhile, urged the committee to begin the opt-out as soon as possible.

Sorting out the energy freeze is a top priority for both chambers this fall.

A House proposal (HB 554), which would extend the freeze indefinitely, is slated for a first hearing before the House Public Utilities Committee at 10 a.m. Wednesday. The committee is scheduled to hear all testimony on the bill and is slated to consider possible substitutes.

The sponsor of that bill, Rep. Ron Amstutz (R-Wooster) said last month there was "more work to do" on that House bill. (See Gongwer Ohio Report, October 7, 2016)

Gov. John Kasich has repeatedly threatened to veto any effort to "kill" the standards and as recently as this month deems a goal-based approach unacceptable. (See Gongwer Ohio Report, November 7, 2016)

The Natural Resource Defense Council in a statement Tuesday called the bills a "grab bag of non-starters that does nothing to move Ohio forward."

"Acting more like a student cramming for finals in a class they've ignored, lawmakers have waited until the 11th hour to propose legislation that fails to meet the governor's expectations or the needs of Ohio's citizens and businesses," NRDC Staff Attorney Samantha Williams said.

"The bills...appear to be the same old junk that failed last time: cutting down money-saving energy efficiency standards, watering down what 'counts' as renewables and efficiency, and turning the standards into toothless 'goals.'"

Superintendents Seek Easing Of New Graduation Requirements

Superintendents rallied at the Statehouse on Tuesday, calling for increased involvement in policy decisions and a pause on new graduation requirements that could result in thousands of students not receiving their diplomas next school year.

At the same time a few blocks away, the State Board of Education debated the seven end-of-course exams that students must take and reach certain scores on to graduate beginning with the class of 2018.

Although members are largely supportive of easing the scoring requirements with plans to increase them gradually over the next few years, a vote on the issue isn't expected until more student data becomes available.

Some superintendents said as many as a third of their students are not on track to graduate next school year because they scored just one out of five possible points on some of the tests. In order to graduate under the current rules, students must score a minimum total of 18 points.

Of the points required for graduation, at least four of those must come from English tests, four from math, and six from science and social studies. State board members also considered lowering those point thresholds and then gradually increasing them.

Other new pathways to graduation include earning an industry credential and a work-readiness score on WorkKeys or earning a remediation-free score on the ACT or SAT.

Superintendents who spoke on the steps of the Statehouse said the tests are more difficult than the Ohio Graduation Test that they replaced and they are not a true representation of how prepared students are to graduate.

Olmstead Falls City School District Superintendent Jim Lloyd said it's necessary for educators, lawmakers and the State Board of Education to work together to craft better graduation requirements. In the meantime, he suggested a safe harbor from the current requirements.

"While the intent was to make standards higher and create multiple pathways for graduation, the points system that was put into place was arbitrarily set and we do not believe the Ohio School Board had all the information they needed in order to make a sound decision," he said. "Rather than creating pathways, the current class of 2018 will experience a roadblock."

According to Department of Education data, 65.4% of students have already met or are highly likely to meet end-of-course exam requirements. Another 28.9% have been determined to need additional support and remediation over the next year and a half.

ODE staff told the state board that the percentages don't reflect the amount of students who will graduate in 2018 because some will take other pathways, while others are exempt from taking the exams or will score higher in the future.

Comparatively, about 66.1% of students passed all five portions of the OGT the first time they took them.

Board President Tom Gunlock said he agrees that the new, tougher requirements will likely need tweaked to allay concerns. However, it may be too soon to determine whether the graduation cliff some superintendents are predicting will actually come to be.

After all, schools still have time to work with students to ensure they're able to pass new tests and those they'll retake over the next month, he said.

That's why the board is taking additional time to learn more about the requirements and see where students would fall on the scale if scoring minimums are lowered.

"By January or February we should know how many kids are doing better on retakes so that will kind of drive the deal here I think because we'll actually have some data to look at rather than going, 'Oh, I think there is a major problem,'" Mr. Gunlock said in an interview.

Students are able to retake the exams to attain higher scores, but ODE data from last year show they have had low success rates in doing so, particularly when retrying the math tests that superintendents said they're most concerned about.

Shadyside Local Schools Superintendent John Haswell, whose letter to Superintendent of Public Instruction Paolo DeMaria opposing the end-of-course exams led to the rally, said that more than 25,000 students scored just one point on the geometry test last school year and more than 170,000 did so on the algebra I exam.

Districts are and will continue to provide additional support to students who are off-track to meet graduation requirements, he said. However, there is already too much emphasis on high-stakes testing and requiring students to retake tests over and over will only add to the detriment.

"There is no way a single test should have the capability to erase an entire year's worth of work," he said.

A handful of other superintendents spoke to those who gathered for the rally, saying that they're tired of the federal and state governments handing down education policies that they feel they didn't have a say in and don't work in practice.

"We are not here to complain. We are not here to cry. We are not here to say this isn't fair. We are here to say it is time for us to work together. We know education. We know our students. We know what it takes. We must become proficient at authentically measuring our students," said Springfield City School District Superintendent Bob Hill.

House and Senate education committee chairs said in interviews that they're supportive of giving teachers and students more time to become acquainted with the new end-of-course exams, but they also stand by the state's pursuit of higher education standards.

"It's a big change. The tests are new, end-of-course exams are new, kids are taking them for the first time and their scores are not where we'd like them to be," Sen. Peggy Lehner (R-Kettering) said. "Some of it may be because they're not being taught what they need to be taught so I think there needs to be some time for reflection, beefing up the curriculum, working with those students that are really struggling to make sure that more of them are passing, because right now it's an unacceptably high fail rate."

Rep. Andy Brenner (R-Powell) agreed there needs to be changes to the requirements because, "We obviously don't want to see 20-30% of our high schoolers not be able to graduate because of the transition."

At the same time, he questioned how so many students could be in the position to not graduate when proficiency cut scores on some tests are already set low.

"Given the fact that the proficiency levels for geometry were set at 40% of the test questions correct, that means you can miss 60% of the test questions and get three points for that and still be able to potentially move on," Rep. Brenner said, adding: "I would like to keep the standards as high as we can."

Obhof Elected Senate President; Schiavoni To Lead Democrats Again

Members of the Senate Republican Caucus in the upcoming General Assembly voted Tuesday to elect Sen. Larry Obhof as the chamber's next president.

The Medina Republican will succeed Senate President Keith Faber (R-Celina), who is forced from the chamber due to term limits, in the 132nd General Assembly.

His leadership team, according to Chief of Staff Jason Mauk, is: Sen. Bob Peterson (R-Sabina) as president pro tem; Sen. Randy Gardner (R-Bowling Green) as majority floor leader and Sen. Gayle Manning (R-N. Ridgeville) as majority whip.



Sen. Obhof

"I am honored that my colleagues have selected me to lead the Senate in the upcoming General Assembly," Sen. Obhof said. "I look forward to continuing our efforts to improve Ohio's economy and making sure our state is responsive to the people of Ohio."

Sen. Obhof currently holds the second-ranking Senate president pro tempore leadership role. He joined the Senate in 2011, and just won reelection to another four-year term. He is an attorney at Squire Patton Boggs LLP and has served as an adjunct professor at Case Western Reserve University School of Law.

Majority Republicans in the House voted last week on their leadership team and extend the tenure of Speaker Cliff Rosenberger (R-Clarksville). (See Gongwer Ohio Report, November 10, 2016)

Senate Democrats, meanwhile, retained most of their leadership slate while replacing Sen. Lou Gentile (D-Steubenville), who lost his reelection bid in last Tuesday's elections.

The caucus on Tuesday reelected Senate Minority Leader Joe Schiavoni (D-Boardman), Assistant Minority Leader Sen. Charleta B. Tavares (D-Columbus), Minority Whip Sen. Edna Brown (D-Toledo) and Assistant Minority Whip Sen. Cecil Thomas (D-Cincinnati).

"I am grateful that my colleagues have given me the opportunity to continue serving as the leader of our Caucus," Sen. Schiavoni said. "We have a strong team with a wealth of experience in state and local government. We are committed to standing up for working families and making sure all voices are heard at the Statehouse."

House Democrats are scheduled to vote on leadership Wednesday evening and on Tuesday were reporting that no challenges were anticipated to the current slate of: Minority Leader Fred Strahorn (D-Dayton), Assistant Minority Leader Rep. Nicholas Celebrezze (D-Parma), Minority Whip Rep. Nickie Antonio (D-Lakewood) and Assistant Minority Whip Rep. Jack Cera (D-Bellaire).

House Panel Discusses Outreach Models In Review Of Infant Mortality Bill

A bill targeting the state's high infant mortality rate received its first hearing in the House Tuesday as lawmakers raised questions about whether the bill would allow other models of outreach to continue to function in the state.

The bill (SB 332) includes a number of provisions to increase the availability and use of data, target social determinants of health and incentivize best practices in an effort to lower the state's high infant mortality rates, particularly among African-Americans, Sen. Shannon Jones (R-Springboro) and Sen. Charleta B. Tavares (D-Columbus) told the House Finance Committee.

"The old model of more money and more programs is simply unsustainable and simply has not worked," Sen. Jones said.

The discussion Tuesday centered largely on the bill's emphasis of the Pathways Community Hub model, which uses community health workers to connect pregnant women with resources in their communities as a way of improving health outcomes.

Rep. Debbie Phillips (D-Albany) questioned the emphasis of one model, saying an organization in southeast Ohio that has found success with a different approach would not be favored under the system. (See Gongwer Ohio Report, September 27, 2016)

"The concern that's been raised with me is that the language requires the (Medicaid managed care organizations) to contract with a certified hub, which is really just that one specific model," she said. "I'm curious whether

you're open to exploring other ways the communities have done this."

Sen. Jones said the MCOs are required to contract with a certified Pathways hub, but that doesn't mean they can't also contract with a separate entity that does similar work. In other parts of the state, she said, MCOs have contracted with both.

"It's true, we are trying to expand this particular model because of the outcomes that it achieves, but in no way is it excluding the use of that model," Sen. Jones said.

Sen. Tavares said the bill would require new thinking and new approaches, but it will also incentivize approaches that get results.

"It's difficult to get systems to change," she said. "We've been doing this the same way forever, and people build their programs and services forever. Getting people to make that pivot is challenging."

Subcommittee Action: Angela Dawson, director of the Commission on Minority Health, said in testimony before the House Finance Subcommittee on Health and Human Services after the full committee hearing that disparities in preterm birth rates and infant mortality rates are wide between white children and African-American children.

"Racial disparities persist for all causes of infant death, especially those related to sleep causes and prematurity," she said.

Among the provisions of the bill she praised were the emphasis, both in the bill itself and in the certified Pathways Community Hub model, on the social determinants of health.

"Ohio must address physical, social and economic environments that impact health outcomes in order to improve our return on investment," she said.

Brandi Slaughter, the executive director of Voices for Ohio's Children, praised elements of the bill that would encourage home visiting programs, particularly pilot programs for new home visiting approaches.

"Evidence shows that home visiting programs serve as a tool to reducing infant mortality in our state," she said.

The bill would require the Department of Health to create a referral system or all home visiting systems in the state, she said.

"Voices is supportive of the types of changes to home visiting programs reflected in Senate Bill 332," she said.

"We know that home visiting programs increase healthy pregnancies, improve parenting confidence and competence and improve child health, development and readiness-all direct tools to ensuring more Ohio children see their first birthdays."

Joe Russell, policy and advocacy director for the Ohio Association of County Boards of Developmental Disabilities, said he hoped the bill could be amended to clarify exactly which part of the federal Help Me Grow program was affected. The program includes home visiting, which is the subject of the bill, but also includes early intervention programs, which are more closely aligned with county boards of DD and would not be best served by the coordination at the state level.

"We have no intention of impacting the policy of this bill whatsoever," he said, and the amendment would simply clarify the difference between the components of the program.

Andrew Hackman, representing the Juvenile Products Manufacturers Association, urged another amendment, this one changing the ban on crib bumpers to regulations requiring the bumpers to fit certain standards. Parents who want something like a crib bumper would be better served getting something that is regulated than being forced to buy something that is completely unregulated, he said.

"We'd encourage the committee to consider a middle ground instead of a complete ban," he said.

Members of the subcommittee pushed back, saying the American Academy of Pediatrics has said children should sleep with nothing in the crib.

"We're trying to send a simple, clean, clear message," Rep. Nickie Antonio (D-Lakewood) said.

Senate Panel Targets Adoption-Related Human Trafficking

The Senate on Tuesday took its first crack at a bill designed to combat what its sponsors said is the latest form of human trafficking to emerge in the state.

Adopted children who are no longer wanted are being re-homed illegally by being diverted around the adoption process, sponsors of the bill (HB 64) told members of the Senate Civil Justice Committee.

"These children often come from other countries, are adopted by a family who later decide they do not wish to keep the child," sponsoring Rep. Dorothy Pelanda (R-Marysville). "They put the child essentially on a web site such as Amazon or eBay in an attempt to find a new family for him or her."

The problem, Rep. Pelanda told the panel, has been discovered by juvenile courts throughout the state.

Typically they are discovered when a child is enrolled in school, she said.

Under the measure, mandated reporters would be required to notify the county public children service agency with contact information on any child named in a temporary physical care power of attorney or other document used for school registration, medical care or other services.

"If the agency determines that the temporary placement of a child is not safe, the agency shall file a dependency complain with the juvenile court," she said.

The bill, which already cleared the House, was amended to give public children service agencies more discretion to avoid unwarranted investigations.

"This includes investigation of the temporary placement of a child for a designated short-term period due to a vacation, school sponsored function or activity, or because of a parent incarceration, military service, medical treatment or incapacity," Rep. Pelanda said.

However, Sen. Bill Coley (R-Liberty Twp.) questioned whether the measure would impact a program in southwest Ohio that allows for children to temporarily be placed, with no government interference, in the care of non-parental adults through a church.

Rep. Pelanda said she believes that situation was addressed through the bill's amendments in the House by increasing investigatory discretion.

The measure, according to sponsoring Rep. Cheryl Grossman (R-Grove City), is designed to thwart the practice of transferring the custody of an unwanted adopted child through a "respite care" Power of Attorney process.

"This legislation will require a respite agreement/POA to be filed with the Juvenile Court of the county in which the child resides, before the document can be used to enroll the child in school or in order to receive medical treatment," she said in written testimony. "The filing will trigger a rebuttable presumption that the child is dependent, which will allow an investigation into the legal placement of the child, a process for determining the best interests and future of the child, and possible sanctions for the adults engaged in rehoming."

The matter first came to her attention, Rep. Grossman told the panel, when she discovered that adoptive parents of a minor girl sent her back to the state in which her biological parents lived.

"All that this young girl had in her possession were the clothes on her back. She did not know who would be at the airport to pick her up. She was scared," she said.

"It is critical that we find a solution to this issue. Children are going underground by averting a state or adoption agency. Children may be put in an unsafe situation and disrupt proper development. There seems to be no legal custody of the child. In Ohio, only through a legal pathway of parental consent, home assessment, and a filed petition can a minor be placed for adoption with a new parent."

House Opioid Discussion Centers On Methadone Clinics

Lawmakers on Tuesday discussed provisions aimed at increasing the number of methadone clinics as a bill aimed at fighting the state's opioid abuse crisis had its first hearing in the House.

In sponsor testimony before a House Finance subcommittee, Sen. John Eklund (R-Chardon) said the bill (SB 319) will not only help fight the problem of heroin abuse but combat abuse of prescription narcotics.

"I believe we cannot profitably talk about heroin abuse, heroin addiction, heroin deaths in Ohio without talking about opioids, manufactured narcotics," he said. "Opioids are not only a gateway drug to heroin and other things; they are a serious, serious problem."

In outlining the bill for the committee, Sen. Eklund said it was important to require certification of pharmacy technicians to stem the diversion of prescription opioids.

"We're not doing a very good job of regulating these folks. These people, as it stands right now, can be caught stealing from a pharmacy, get thrown out, go down the street and start working at another pharmacy without any disclosures," he said.

Rep. Emilia Sykes (D-Akron) asked about a provision that would eliminate a two-year waiting period for methadone clinics wanting to move into Ohio, and allow for-profit methadone clinics to operate. Rep. Sykes asked why the requirement that they be non-profit existed in the first place.

Sen. Eklund said he believed it was because, when methadone was first being used, there was fear that it could be abused or addicts would turn to it as a substitute.

"These for-profit organizations have evolved, they operate considerably more efficiently, and it has led to the continual spreading of these methadone clinics," he said.

Rep. Nickie Antonio (D-Lakewood) said the non-profit status helps provide checks and balances, through their boards, guiding principles and other provisions that for-profit companies don't have.

Sen. Eklund said he respected the checks and balances inherent in the nonprofit methadone clinics, but the incentives and difficulty of creating them meant there wasn't enough capacity.

"We don't have enough of them," he said.

Sen. Eklund also said there were some amendments expected for the bill, including one dealing with the dispensation of smaller portions of a long prescription.

The bill would also allow locations that have a higher likelihood of a drug overdose, like halfway houses, to keep the lifesaving drug naloxone on site without requiring a special license, Sen. Eklund said.

As it stands now, these entities would have to have a license for being a terminal distributor of dangerous drugs, which requires medical personnel onsite at all times, said Phil Nunes, chief operating officer of Alvis, a nonprofit human services agency in Ohio.

"That terminal dangerous drug license is not an attainable goal for many of us," he said.

Mr. Nunes, testifying before the House Finance Subcommittee on Health and Human Services, also said he strongly supported a provision that would protect people who use naloxone at the halfway house or other facility from civil penalties.

Task Force Reviews Gas Tax, Rise Of Alternative Fuel Vehicles

Raising the state's gas tax will raise more money to boost transportation funding, witnesses told a legislative panel Monday, but the state also needs to consider ways to ensure that drivers of alternative fuel vehicles are paying their share.

The Joint Legislative Task Force on Transportation Issues met for the first time since February to review two topics - the effectiveness of the state's motor fuel tax and alternative methods for funding construction and maintenance - about which it must report by mid-December.

Co-chair Rep. Cheryl Grossman (R-Grove City) said the state needs to address its transportation revenue, as inflation and the rise of alternative fuel vehicles mean the state doesn't take in enough to cover the costs of maintenance and new construction.

"I think we need to have some serious discussions on funding our infrastructure," she said after the meeting. "I continue to be concerned about how we're falling farther and farther behind."

While witnesses from a variety of groups testified that raising the fuel tax would help alleviate some of the concerns, there were also concerns that the fuel tax would not drive revenue from all users of the state's roads and bridges. People who drive hybrid and alternative fuel vehicles don't pay as much for gas, and the gas tax is the primary revenue source for transportation.

"We just feel the longer you wait to implement some kind of charge to those users, the harder it's going to become," said Angela Van Fossen, director of legislative affairs for the Ohio Contractors Association.

Possibilities for taxing drivers of electric cars or other alternative vehicles, and making sure that revenue goes to support roads, include a tax on miles driven, perhaps to be paid yearly when renewing the vehicle's registration.

The state also must balance the need to tax users of the roads with the need to encourage more fuel-efficient vehicles, Rep. Grossman said.

"We want to be competitive, we want to be equitable and we want to encourage these opportunities," she said. "It's a fine balance."

Jason Warner, with the Greater Ohio Policy Center, showed examples of how other states including Pennsylvania have raised revenue for transportation. That state levied fees on items like new tires sold and vehicle rentals, and fines for disobeying traffic control devices or lapsed vehicle insurance.

When weighing these options, Mr. Warner said the state needs to consider how consumers will react if it's a tax they aren't used to seeing.

"One thing that will have to be considered is how Ohio has historically addressed these situations versus what other states have," he said.

Fred Pausch, executive director of the County Engineers Association of Ohio, said counties are responsible for 26,326 bridges and 28,971 miles of roadways across the state, and that thousands of the bridges are either structurally deficient or functionally obsolete.

"Back in the early 2000s, counties were replacing many more bridges because costs were lower. Now it costs two to three times more to replace, so they are replacing much fewer bridges," he said.

He suggested the state extend the Ohio Bridge Partnership program, explore a tax on vehicle miles traveled and allow more options for toll roads. He also suggested the state allow more options for local taxation.

"Our association is looking for more options at the local level," he said. "Just raising the gas tax is not the whole answer."

Rep. Grossman said after the meeting that she thought allowing local governments to raise their fuel taxes could cause problems as people would avoid buying gas in those communities, depriving them of revenue.

"The problem with local options is sometimes you put those local municipalities at a disadvantage, where some people will avoid fueling their cars in those counties," she said. "To me, the uniformity across the state has merit."

Rep. Grossman raised the question of autonomous vehicles, which will require more infrastructure as they become more common. Franklin County Engineer Dean Ringle said the cost of that new infrastructure - new striping, wiring, wireless access - will be in every county of the state, not just urban counties.

"Those are going to be costs that are going to have to be adopted in the infrastructure to make the use of that technology work," he said.

Rep. Grossman said the schedule for the remainder of the task force's meetings will be worked out between her and the new co-chair, Sen. Frank LaRose (R-Copley Twp.). The report on the two funding issues is due Dec. 15.

Lawmaker Floats Plan To Expand Gaming, But Chairman Skeptical

Sen. Bill Coley told a Senate panel Tuesday he has prepared a substitute bill that if pursued would mark a "huge expansion" in gaming.

But he urged caution among members of the Senate State & Local Government Committee if that's the route they wish to pursue.

The sub bill, of which Chairman Sen. Joe Uecker expressed disinterest, is tied to a pending measure (SB 356) that Sen. Coley (R-Liberty Twp.) said would clarify the illegality of pools for profit and bring non-profit pools under the regulation of the Casino Control Commission.

Sen. Coley said the bill, which he announced in September, would mostly clarify existing laws while providing additional government oversight. (See Gongwer Ohio Report, September 26, 2016)

The substitute bill, on the other hand, would authorize all pools for profit, Sen. Coley said during his bill's first hearing.

"I would be happy to present that at the request of the committee," Sen. Coley said of the sub bill. "But I caution you, it is a huge expansion of gaming in the state and our governor's position has been...we're not going to allow any expansions of gaming in the state."

Sen. Uecker (R-Loveland) said in an interview after the meeting that he's not inclined to pursue such an expansion.

"I think I like the bill as presented," Sen. Uecker said. "At this point in time, without looking further at it, I'm not all that interested in the sub bill personally. We'll wait and see where that goes but I'm satisfied with the bill that was testified here today."

Sen. Coley broached the idea following questions from Sen. Bill Seitz (R-Cincinnati), who asked whether lawmakers should instead pursue eliminating the state's continued ban on pools for profit.

"Why don't we instead repeal or reform the pool for profit law to allow some modest amount of compensation for the people that are running the office pool or sports game?" Sen. Seitz asked. "I would be inclined to do that, frankly."

Sen. Coley said the bill would enable the oversight of fantasy and e-sports games. It also seeks to clarify that for-profit pools, unlike not-for-profit pools, are illegal under the state's constitution.

He said the measure as written would clarify the legality of business promotions, such as Queen of Hearts games, daily fantasy sports and e-sports.

"SB356 ensures that these games, like all other gaming in Ohio, have proper oversight," he told the committee.

Regarding Queen of Hearts games, which have seen several instances of multi-million payouts, he said, "While I am pretty darn sure that everything was done correctly...it will be a good thing to have the Casino Control Commission right there to supervise operations and clarify any changes in the rules that might be necessary.

"This legislation is necessary to make sure DFS and e-sports are in line with current Ohio law and that, moving forward, this gaming is appropriately regulated," he added.

Sen. Bob Hackett (R-London) questioned whether lawmakers should be debating which of these games classify as a form of gambling if they are to be regulated as such.

Sen. Coley said the question is irrelevant in Ohio. That's because when it comes to pools the state does not differentiate games of chance from games of skill, he said.

"In Ohio it's a whole pool and it doesn't matter whether the pool is distributed by skill or chance," Sen. Coley said. "If you take a penny out of the pool yourself, it's illegal."

FirstEnergy, Opponents Request PUCO Rehearing In PPA Case

FirstEnergy and a handful of interested parties are requesting a rehearing in a long-running case that last month resulted in the Public Utilities Commission of Ohio approving a new rider to fund the company's grid modernization efforts.

Last month, the PUCO rejected the company's proposal for a scaled-down, "virtual" Power Purchase Agreement in favor of a staff-recommended \$132.5 million a year Distribution Modernization Rider. (See Gongwer Ohio Report, October 12, 2016)

But the company, which labeled the PUCO's decision last month "disappointing," argues the order was unlawful in part because it did not adopt the companies' suggested modifications - a failure "likely to undercut the ability of the rider to achieve its stated purpose."

Among the company's other claims are that the PUCO failed to account for the economic benefits of requiring the company's headquarters to remain in Toledo, used a 14.5% rather than 15% debt ratio in its calculations when calculating the rider, improperly used a four-year average for CFO to debt ratios rather than the advised three-year average, and committed other errors.

"The commission's adoption of Rider DMR is amply supported by the record," FirstEnergy wrote. "Yet, given the commission's stated desire to further grid modernization by shoring up the companies' finances, and derivatively their credit ratings, the specifics of the rider as adopted not only fail to accomplish the commission's stated objectives but, in fact, run counter to them."

Monday was the filing deadline for the company and interested parties to urge the PUCO to take back up the case that has already stretched more than two years.

Also requesting a rehearing were the Ohio Manufacturers' Association energy Group, IGS Energy, the Northeast Ohio Public Energy Council, the Ohio Consumers' Counsel and the Northwest Aggregation Coalition, the Ohio Energy Group, PJM Power Providers Group and the Electric Power Supply Association, the Cleveland Municipal School District, Nucor Steel Marion Inc., the Sierra Club, and, in a joint filing, the Ohio Environmental Council, the Environmental Defense Fund and the Environmental Law and Policy Center.

The OCC estimates the new rider will generate about \$612 million from customers over three years, with the option of a two-year extension, and that the charge is "destined to not fulfill its state purpose." As such, the group argues, the new rider is an unlawful transition charge.

"The Credit Support Rider funds are supposed to 'jump start' FirstEnergy's investment in grid modernization," the OCC wrote. "But FirstEnergy is not required to use the funds this way. So the funds may actually be used to bailout FirstEnergy's parent, FirstEnergy Corp. or its unregulated generation affiliate, FirstEnergy Solutions."

During the hearing process, opponents expressed concern at the lack of a requirement that the money raised by the DMR or the company's proposed retail rate stability rider would have to remain within the companies - a common concern in Monday's filings.

OMA urged the commission to deny implementation of the rider because it "operates as an unlawful subsidy to FirstEnergy Corp., harms economic development in the state, and does not advance the policy of the state of Ohio to ensure diversity of electricity supplies and suppliers, or prompt competitive retail generation choices.

"Not only does Rider DMR violate a number of Ohio laws and regulation regarding the provisions of electric service, but it also has a detrimental effect on the ability of Ohio businesses to effectively manage their costs, make sound investment decisions and expand operations in the state of Ohio," the group continued. "The domino effect is an increase in prices for consumers and negative consequences for businesses...as they may be forced to close or reduce operations due to increased costs."

OEC, the EDF and the ELPC argue the panel's decision was unlawful in that it provides no restriction requiring the funds to be used for grid modernization and is inconsistent with PUCO precedent.

And the Sierra Club argued the PUCO lacked jurisdiction to consider the DMR on rehearing, while similarly arguing the new rider to an unlawful transition charge. The Sierra Club claims the rider won't incentivize grid modernization and that the conditions placed on the rider are "illusory and unenforceable."

"...The commission approved the DMR even though the record demonstrates this rider is unjust, unreasonable, and not beneficial to customers," the group argued.

The PJM group and the EPSA similarly criticized the PUCO for not restricting DMR revenues from subsidizing the companies' generation affiliate and argued the commission's determination the previously proposed RRS rider is a "limitation on consumer shopping" is unreasonable and unlawful.

"The commission can and should correct its errors before utility customers are forced to give their money to FirstEnergy Corp. and its competitive affiliate," the groups argued.

The Cleveland Municipal School District argued the rider is aimed at boosting the company's sagging credit rating rather than supporting grid modernization. With FirstEnergy recently announcing a strategic review that could result in the sale of any or all of its 13 plants, the CMSD said the rider could have no effect on boosting that credit rating. (See [Gongwer Ohio Report, November 7, 2016](#))

"Does the commission really want to subject customers to the risk that they will have pay hundreds of millions of dollars via Rider DMR and, at the end of the day, will have absolutely nothing to show for it?" CMSD argued. "The commission should grant rehearing on this ground and should remove Rider DMR as an element of ESP IV."

Reports: County Birth Outcomes Examined; Small Towns Often Have Big City Problems; Occupational Licensing Hinders Military Families

A report from the Center for Community Solutions examined birth outcomes at the county level across Ohio, with an emphasis on Northeast Ohio, finding a drop in the teen fertility rate but still high rates of infant mortality and low birth weights.

There was wide variation at the county level regarding the infant mortality rate, the report found, though the Northeast Ohio region had a similar overall infant mortality rate to that of the whole state.

"As more attention is being focused on infant mortality in our area, we need to look closely at reducing risk factors such as low birth-weight, prematurity, and maternal smoking during pregnancy," the report's author, Joseph Ahern, said in a statement.

The report found that negative outcomes tended to go together, such as areas with higher rates of low-birth-weight babies and premature births tending to also have low rates of prenatal care.

Statewide, the report found rates of low birth weights and prematurity were also associated with teen childbearing, low rates of high school diplomas, maternal smoking and births covered by Medicaid.

Big City Problems In Small Towns: Another report released by CCS found that the state's small towns have many of the same problems as its largest cities. The report looked at 47 small towns and cities.

The report found that residents of the state's small cities are more likely to be covered by Medicaid than those in big cities, and that working-age adults in smaller cities are much more likely to be disabled than the state as a whole.

Violent crime rates in small towns and cities were about the same as the state overall and well below those of cities, the report found, but property crime rates were nearly as high as those in big cities.

"This report aims to bring into focus the economic, social and health conditions of small hub towns and cities in Ohio," John A. Begala, a former CCS executive director and lawmaker and the author of the report, said in a statement. "Creating a profile for these towns allows them to be benchmarked against Ohio's major cities and their suburbs, underscoring the relevance and immediacy of the data. The policy options offered in the final section suggest a few tangible ways of rolling back what must be considered an emerging crisis."

Occupational Licensing For Military Families: An issue brief released in time for Veterans' Day by the Buckeye Institute argues the state should reform its occupational licensing regulations to ease the burden on military families, who often have to move frequently.

The constant moving by military families makes it harder for them to find and maintain good jobs, the report said.

Ohio requires military spouses who are licensed to work in other states to secure a temporary license while they wait for the licensing board to approve their out-of-state license.

"Strict occupational licensing requirements, like those imposed in Ohio, only make a bad problem worse, and can prove especially discouraging for military families trying to make ends meet," authors Bryanna Austin and Rea S. Hederman wrote.

The authors suggested the state recognize out-of-state licenses for military spouses, making it easier for military families to obtain work.

"By restoring economic opportunity, Ohio stands to gain a better, more skillful labor force, a more robust tax base, and lower unemployment, while relieving bureaucratic burdens for families who already sacrifice so much for their country," the authors said.

Court: Judge Erred In Consolidating Medical Malpractice Cases

A Hamilton County judge overstepped his bounds by unilaterally transferring hundreds of medical malpractice cases against a local surgeon facing federal charges into his courtroom, the Ohio Supreme Court ruled.

In a 6-1 per curiam decision, the court found that Hamilton County Common Pleas Court Judge Robert Ruehlman failed to follow state and local guidelines in transferring the cases against Dr. Abubaker Atiq Durrani to his courtroom.

Mr. Durrani in 2013 was charged by the U.S. Attorney's Office with 10 counts of health care fraud after allegedly convincing patients to undergo medically unnecessary surgeries.

Following the charges, hundreds of patients filed medical malpractice suits in southwestern Ohio, all of which ended up in the Hamilton County Common Pleas Court but assigned to different judges, the court reported.

Judge Ruehlman unilaterally consolidated the cases on his docket without a hearing.

The move led to medical providers, who were also named in the suits, to seek a First District Court of Appeals judgement in trying to prevent the consolidation. The court twice rejected the medical provider's arguments, leading to the case being brought to the high court.

"Judge Ruehlman patently and unambiguously lacked jurisdiction to order the consolidation of the underlying cases. Therefore, appellants are entitled to a writ of mandamus ordering Judge Ruehlman to return the cases to the judges to whom they were originally assigned and to a writ of prohibition ordering him to refrain from any other action, except transfer, in the cases not originally assigned to him," the court wrote in its decision.

The court found that the general rule under the Ohio courts rules of superintendence is that the administrative judge of a court controls the court's docket.

"The consolidation of a large number of cases - removing them from the judges to whom they had been assigned and assigning them to another judge of the court - is an exercise of control over the docket of the court," the court's decision reads. "In this case, the motion to consolidate was made to the administrative judge - at that time, Judge Robert C. Winkler. Judge Ruehlman nevertheless ignored Judge Winkler's signature line and signed the consolidation entry himself. Judge Ruehlman lacked the authority of the administrative judge to control the docket."

The court also noted that local rules stipulate that motions to consolidate are to be heard by the judge with the fewest cases assigned.

"Judge Ruehlman does not dispute that he did not have the lowest numbered case, and there is no indication that the other judges to whom the Durrani cases had been assigned agreed to deviate from Local Rule 7(G)'s assignment procedure. Judge Ruehlman therefore did not have the authority under the local rule to consolidate the Durrani cases," the court wrote.

Justice Paul Pfeifer cast the lone dissenting vote without a written opinion, but noted that he would have affirmed the appellate court ruling.

Stivers Chosen To Lead GOP Campaign Arm

U.S. Rep. Steve Stivers was chosen Tuesday to chair the National Republican Congressional Committee, the key organization involved with the election and re-election efforts for Congressional Republicans.

The move puts Mr. Stivers (R-Columbus) at the forefront of efforts to retain the majority in the 2018 election cycle.

Ohio Republican Party Chairman Matt Borges welcomed the news.

"Republicans have a tremendous opportunity in front of us and we are so proud to see an Ohioan with a seat at the leadership table," he said. "No one will work harder than Steve to continue building a strong organization at the NRCC and help elect Republicans across the country in 2018."

Mr. Stivers won the job over U.S. Rep. Roger Williams of Texas. He succeeds Rep. Greg Walden, who is out of the job due to term limits.

Attorney General's Opinion

No. 2016-036. Requested by Athens County Prosecuting Attorney Keller J. Blackburn. SYLLABUS:

An assistant prosecuting attorney assigned to prosecute misdemeanor and felony offenses in the Athens County Court of Common Pleas may serve as a member of a board of township trustees of a township located in Athens County, provided that in his capacity as assistant prosecuting attorney he does not serve on the county budget commission as the designee of the prosecuting attorney, prepare the budget of the county for submission to the county budget commission, appear before the county budget commission to advocate in support of the county budget, or prosecute misdemeanor or felony offenses associated with the township in which he serves as a trustee. In his capacity as a member of the board of township trustees he shall refrain from discussions, deliberations, negotiations, or votes under R.C. 309.09(B) to retain legal counsel other than the prosecuting attorney to advise or represent the township. (2001 Op. Att'y Gen. No. 2001-027 and 1999 Op. Att'y Gen. No. 99-027, followed.)

Governor's Appointments

Ohio Arts Council: William B. White of Marietta for a term beginning November 15, 2016 and ending July 1, 2019.

Local Government Innovation Council: Deborah A. Lieberman of Clayton for a term beginning November 15, 2016 and ending September 20, 2020.

Supplemental Agency Calendar

Tuesday, November 22

Consumers' Counsel Governing Board, 10 West Broad Street, Suite 1800, Columbus, 9 a.m.

Supplemental Event Planner


Friday, November 18

Higher Ed InteG.R.E.A.T Ohio Symposium, Ohio University's Dublin Center, 6805 Bobcat Way, Dublin, 8 a.m., (Full conference details are available at <https://odhe.eventsair.com/QuickEventWebsitePortal/ohio-integreat-symposium/info>)

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House Activity for Tuesday, November 15, 2016

INTRODUCED

HB MILITARY LICENSE PLATES (Johnson, G.) To allow a military veteran license plate to include the **615** names of multiple military operations on one license plate. Am. 4503.53.

HB BANKING LAW (Amstutz, R.) For the purpose of enacting a new banking law for the State of Ohio. Am. **616** 102.02, 109.572, 111.15, 119.01, 121.07, 131.11, 135.03, 135.032, 135.32, 135.321, 135.51, 135.52, 135.53, 323.134, 339.06, 513.17, 749.081, 755.141, 902.01, 924.10, 924.26, 924.45, 1101.01, 1101.02, 1101.03, 1101.15, 1101.16, 1103.01, 1103.02, 1103.03, 1103.06, 1103.07, 1103.08, 1103.09, 1103.11, 1103.13, 1103.14, 1103.15, 1103.16, 1103.18, 1103.19, 1103.20, 1103.21, 1105.01, 1105.02, 1105.03, 1105.04, 1105.08, 1105.10, 1105.11, 1107.03, 1107.05, 1107.07, 1107.09, 1107.11, 1107.13, 1107.15, 1109.01, 1109.02, 1109.03, 1109.05, 1109.08, 1109.10, 1109.15, 1109.16, 1109.17, 1109.22, 1109.23, 1109.24, 1109.25, 1109.26, 1109.31, 1109.32, 1109.33, 1109.34, 1109.35, 1109.36, 1109.39, 1109.40, 1109.43, 1109.44, 1109.45, 1109.47, 1109.48, 1109.49, 1109.53, 1109.54, 1109.55, 1109.59, 1109.61, 1109.63, 1109.64, 1109.65, 1109.68, 1109.69, 1111.01, 1111.02, 1111.03, 1111.04, 1111.06, 1111.07, 1111.08, 1111.09, 1113.01, 1113.03, 1113.05, 1113.06, 1113.08, 1113.09, 1115.01, 1115.05, 1115.06, 1115.07, 1115.11, 1115.111, 1115.14, 1115.15, 1115.20, 1115.23, 1115.27, 1117.01, 1117.02, 1117.04, 1117.05, 1119.11, 1119.17, 1119.23, 1119.26, 1121.01, 1121.02, 1121.05, 1121.06, 1121.10, 1121.12, 1121.13, 1121.15, 1121.16, 1121.17, 1121.18, 1121.21, 1121.23, 1121.26, 1121.30, 1121.33, 1121.34, 1121.38, 1121.41, 1121.43, 1121.45, 1121.47, 1121.48, 1121.50, 1121.56, 1123.01, 1123.03, 1125.01, 1125.03, 1125.04, 1125.05, 1125.06, 1125.09, 1125.10, 1125.11, 1125.12, 1125.13, 1125.14, 1125.17, 1125.18, 1125.19, 1125.20, 1125.21, 1125.22, 1125.23, 1125.24, 1125.25, 1125.26, 1125.27, 1125.28, 1125.29, 1125.30, 1125.33, 1181.01, 1181.02, 1181.03, 1181.04, 1181.05, 1181.06, 1181.07, 1181.10, 1181.11, 1181.21, 1181.25, 1349.16, 1509.07, 1509.225, 1510.09, 1514.04, 1707.03, 1901.31, 2335.25, 3351.07, 3767.41, 4303.293, and 5814.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1103.01 (1113.01), 1103.06 (1113.04), 1103.08 (1113.12), 1103.09 (1113.13), 1103.11 (1113.11), 1103.13 (1113.14), 1103.14 (1113.15), 1103.15 (1113.16), 1103.16 (1113.17), 1103.21 (1117.07), and 1113.01 (1113.02) and to enact new section 1121.52 and sections 1101.05, 1103.99, 1109.021, 1109.04, 1109.151, 1109.441, 1109.62, 1114.01, 1114.02, 1114.03, 1114.04, 1114.05, 1114.06, 1114.07, 1114.08, 1114.09, 1114.10, 1114.11, 1114.12, 1115.02, 1115.03, 1115.24, 1116.01, 1116.02, 1116.05, 1116.06, 1116.07, 1116.08, 1116.09, 1116.10, 1116.11, 1116.12, 1116.13, 1116.16, 1116.18, 1116.19, 1116.20, 1116.21, 1121.19, and 1121.31, and to repeal sections 1105.06, 1107.01, 1109.60, 1115.18, 1115.19, 1115.25, 1121.52, 1133.01, 1133.02, 1133.03, 1133.04, 1133.05, 1133.06, 1133.07, 1133.08, 1133.09, 1133.10, 1133.11, 1133.12, 1133.13, 1133.14, 1133.15, 1133.16, 1151.01, 1151.02, 1151.03, 1151.04, 1151.05, 1151.051, 1151.052, 1151.053, 1151.06, 1151.07, 1151.08, 1151.081, 1151.09, 1151.091, 1151.10, 1151.11, 1151.12, 1151.13, 1151.14, 1151.15, 1151.16, 1151.17, 1151.18, 1151.19, 1151.191, 1151.192, 1151.20, 1151.201, 1151.21, 1151.22, 1151.23, 1151.231, 1151.24, 1151.25, 1151.26, 1151.27, 1151.28, 1151.29, 1151.291, 1151.292, 1151.293, 1151.294, 1151.295, 1151.296, 1151.297, 1151.298, 1151.299, 1151.2910, 1151.2911, 1151.30, 1151.31, 1151.311, 1151.312, 1151.32, 1151.321, 1151.323, 1151.33, 1151.34, 1151.341, 1151.342, 1151.343, 1151.344, 1151.345, 1151.346, 1151.347, 1151.348, 1151.349, 1151.35, 1151.36, 1151.361, 1151.37, 1151.38, 1151.39, 1151.40, 1151.41, 1151.411, 1151.42, 1151.44, 1151.45, 1151.46, 1151.47, 1151.471, 1151.48, 1151.49, 1151.51, 1151.52, 1151.53, 1151.54, 1151.55, 1151.60, 1151.61, 1151.62, 1151.63, 1151.64, 1151.66, 1151.71, 1151.72, 1151.99, 1153.03, 1153.05, 1153.06,

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Gongwer Coverage

HBBOARD CONSOLIDATIONS (LaTourette, S.) To require the Director of Administrative Services to **617**review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of SpeechLanguage Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation. Am. 109.572, 119.06, 121.22, 122.071, 125.22, 2135.01, 2305.113, 3313.608, 3701.83, 4723.05, 4725.01, 4725.02, 4725.09, 4725.091, 4725.092, 4725.10, 4725.11, 4725.12, 4725.121, 4725.13, 4725.15, 4725.16, 4725.17, 4725.171, 4725.18, 4725.19, 4725.20, 4725.21, 4725.22, 4725.23, 4725.24, 4725.26, 4725.27, 4725.28, 4725.29, 4725.31, 4725.33, 4725.34, 4725.40, 4725.41, 4725.411, 4725.44, 4725.48, 4725.49, 4725.50, 4725.501, 4725.51, 4725.52, 4725.53, 4725.531, 4725.54, 4725.55, 4725.57, 4725.61, 4729.85, 4731.051, 4731.07, 4731.071, 4731.224, 4731.24, 4731.25, 4732.01, 4732.09, 4732.091, 4732.10, 4732.11, 4732.12, 4732.13, 4732.14, 4732.141, 4732.142, 4732.151, 4732.16, 4732.17, 4732.171, 4732.172, 4732.173, 4732.18, 4732.21, 4732.22, 4732.221, 4732.24, 4732.25, 4732.26, 4732.27, 4732.28, 4732.31, 4732.32, 4732.33, 4743.05, 4745.02, 4747.04, 4747.05, 4747.06, 4747.07, 4747.08, 4747.10, 4747.11, 4747.12, 4747.13, 4747.14, 4747.16, 4747.17, 4752.01, 4752.03, 4752.04, 4752.05, 4752.06, 4752.08, 4752.09, 4752.11, 4752.12, 4752.13, 4752.14, 4752.15, 4752.17, 4752.18, 4752.19, 4752.20, 4753.05, 4753.06, 4753.07, 4753.071, 4753.072, 4753.073, 4753.08, 4753.09, 4753.091, 4753.10, 4753.101, 4753.11, 4753.12, 4753.15, 4753.16, 4755.02, 4755.03, 4755.031, 4755.06, 4755.061, 4755.07, 4755.08, 4755.09, 4755.10, 4755.11, 4755.111, 4755.12, 4755.41, 4755.411, 4755.412, 4755.42, 4755.421, 4755.43, 4755.431, 4755.44, 4755.441, 4755.45, 4755.451, 4755.46, 4755.47, 4755.471, 4755.482, 4755.51, 4755.511, 4755.52, 4755.53, 4755.61, 4755.62, 4755.63, 4755.64, 4755.65, 4755.66, 4755.70, 4755.71, 4755.99, 4757.10, 4757.101, 4757.13, 4757.15, 4757.16, 4757.17, 4757.18, 4757.19, 4757.22, 4757.23, 4757.27, 4757.28, 4757.29, 4757.30, 4757.301, 4757.31, 4757.32, 4757.321, 4757.33, 4757.34, 4757.36, 4757.361, 4757.37, 4757.38,

4757.39, 4757.40, 4757.41, 4757.44, 4757.45, 4758.20, 4758.21, 4758.22, 4758.221, 4758.24, 4758.241, 4758.25, 4758.26, 4758.27, 4758.28, 4758.29, 4758.30, 4758.31, 4758.32, 4758.35, 4758.36, 4758.47, 4758.51, 4758.52, 4758.72, 4759.02, 4759.05, 4759.06, 4759.061, 4759.07, 4759.08, 4759.09, 4759.10, 4759.11, 4759.12, 4761.03, 4761.031, 4761.04, 4761.05, 4761.051, 4761.06, 4761.07, 4761.08, 4761.09, 4761.10, 1794 4761.11, 4761.12, 4761.13, 4761.14, 4761.18, 4776.01, 4779.02, 4779.08, 4779.09, 4779.091, 4779.10, 4779.11, 4779.12, 4779.13, 4779.15, 4779.17, 4779.18, 4779.20, 4779.23, 4779.24, 4779.25, 4779.26, 4779.27, 4779.30, 4779.32, 4779.33, 4779.34, 4783.03, 4783.04, 4783.05, 4783.09, 4783.10, 4783.11, 4783.12, 4783.13, 5119.94, 5120.55, 5122.01, and 5123.46, to enact sections 125.92, 4729.021, 4744.02, 4744.04, 4744.041, 4744.06, 4744.10, 4744.12, 4744.14, 4744.16, 4744.18, 4744.20, 4744.24, 4744.28, 4744.30, 4744.36, 4744.40, 4744.48, 4744.50, 4744.54, 4745.021, 4747.051, 4753.061, 4758.242, 4759.011, and 4761.011, and to repeal sections 4725.03, 4725.04, 4725.05, 4725.06, 4725.07, 4725.08, 4725.42, 4725.43, 4725.45, 4725.46, 4725.47, 4732.02, 4732.021, 4732.03, 4732.05, 4732.06, 4732.07, 4732.08, 4747.03, 4753.03, 4753.04, 4755.01, 4757.03, 4757.04, 4757.05, 4757.06, 4757.07, 4757.11, 4758.10, 4758.11, 4758.12, 4758.13, 4758.15, 4758.16, 4758.17, 4758.18, 4758.23, 4759.03, 4759.04, 4761.02, 4779.05, 4779.06, 4779.07, 4779.16, 4779.21, and 4779.22.

HBRECORD EXPUNGEMENT (Schuring, K., Reece, A.) To provide for the expungement of official records **618** related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity. Am. **2953.51, 2953.52, 2953.53, 2953.54, 2953.55, and 2953.61.**

CALENDAR FOR COMING SESSION

SB CARDIAC ARREST (Hite, C., Patton, T.) With regard to sudden cardiac arrest in youth athletic activities. **252**

HB AWARENESS MONTH (Sprague, R.) To designate the month of May as "Neurofibromatosis Awareness **533** Month."

HB MILITARY BENEFITS (Perales, R.) To extend employment and reemployment protection to a person **535** who is a member of another state's national guard or organized militia and who is employed in Ohio.

RE-REFERRED

HB TAX EXEMPTION (Young, R., Romanchuk, M.) To exempt employment services and employment **343** placement services from sales and use tax.

Ways & Means

COMMITTEE HEARINGS

Financial Institutions, Housing & Urban Development

HB CROWDFUNDING (Arndt, S.) To permit intrastate equity crowdfunding under certain circumstances. **593** (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Arndt said his bill is "enabling legislation that would create an 'Ohio-Invests Platform' thereby allowing intra-state crowdfunding as authorized in the Federal Jobs Bill."

"HB593 keeps Ohio competitive by providing another means or tool that invites and supports investment in Ohio and our communities," he said. "One could also argue that it could be a driver to capitalize on the investment we have made in higher education, further research and development in addition to addressing the so-called 'brain drain' phenomenon."

"This bill is yet another tool for our economic development community to use when working with our entrepreneurs. Whether it is a startup business or scaling an operation to meet market demands, HB593 is the vehicle for port authorities, community investment corporation and chambers of commerce to be an issuer under

the Ohio-Invests Crowdfunding Platform," Rep. Arndt said. "By doing so, this provides the gateway for Ohio-based business to publicly introduce their business venture and its business plan to Ohio residents and thereby providing them the opportunity to invest in and Ohio-Based venture."

"Crowdfunding is certainly not for every investor or for every business venture but it certainly has its place when it is necessary to raise capital or equity as part of secured traditional financing," he added.

HB 598 LOAN ACT (Terhar, L.) To create the Ohio Consumer Installment Loan Act. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Terhar said his proposal is part of a multi-bill effort to update the state's lending laws.

His measure, he said, would create the Consumer Installment Loan Act and "will modernize consumer lending laws in Ohio."

The sponsor noted that under a 2008 law change, the Ohio Mortgage Loan Act was expanded to include multiple types of loans and the broader use of unsecured credit loans. The bill at hand, he said, "will distinguish for consumers, regulators, and industry participants, which types of loans should be made under specific sections of Ohio Revised Code Chapter 1321."

"In many respects, the CILA will duplicate the original OMLA in a new series of code sections, and will clearly indicate that CILA loans must have a minimum loan term of six months, be payable in equal monthly installments, have stricter limits on refinancing of loans, and not be secured my real estate," the sponsor said. "The CILA will more accurately reflect the business of traditional installment lending and create a new code section clearly dedicated to that industry segment, eliminating confusion for borrowers and lenders alike and simplifying the job of the industry regulators."

Rep. Terhar said a substitute bill is being drafted "to incorporate several minor changes requested by the Division of Financial Institutions at the Department of Commerce. These changes will modify record retention requirements to reflect the ability to use electronic record keeping."

The sponsor said his bill would "will provide clarity for borrowers, lenders, and state and federal regulators. It is a result of the current effort to modernize Ohio's statutes that cover all banking and lending in Ohio."

Chairman Dever said in an interview after the hearing that the bill's impacts to payday lenders shouldn't be controversial because it mainly aims to split out and reorganize the statute governing consumer installment loans in the Revised Code to provide more clarity for the industry and consumers.

Financial Institutions Bill: The panel also heard sponsor testimony from Rep. Amstutz on a bill introduced Tuesday (**HB 616**) but not yet referred to the committee regarding the consolidation of three chapters of Title 11 banking laws into one. The bill is a companion to **SB 317**, which he said will remain the vehicle. The sponsor said his purpose in introducing the House version was to expedite deliberations on the Senate bill.

"There are now chapters dealing separately with banks, savings and loan associations and savings banks. By combining these chapters and defining them all as banks it brings much greater uniformity and efficiency to our state financial institution laws," Rep. Amstutz said during the informal hearing on the bill.

"Another significant change is to focus Title 11 code sections on safety and soundness and make greater use of general corporate law in Title 17, Chapter 1701. This streamlines Title 11 by further reducing redundancy."

Rep. Amstutz said an example of modernization in the bill is addressing current electronic banking practices not recognized in current law. The sponsor said he's been told that the last major update of commercial banking statutes was in 1995 and the last thrift overhaul was in the 1980s.

Education

HB JOB PLACEMENT (Antani, N.) To require the State Board of Career Colleges and Schools to report and

426 post job placement information. (CONTINUED; 1st Hearing-Sponsor)

Sponsoring Rep. Antani said career colleges and schools already report job placement information to the state board that oversees them and his bill would simply make those details more accessible to the public.

The State Board of Career Colleges and Schools would be required to report the information on its website and make it searchable by school, he said. It would also have to provide the information in a report to the General Assembly.

"We want to ensure Ohioans are empowered with the information to make the decision," he said. "A big factor on choosing a career path for Ohioans should be whether or not they will obtain a job once completing that educational program."

He told Rep. Ramos that community colleges and universities were not included in the bill because they're not currently required to submit job placement information to the state.

HB COMMUNITY SCHOOLS (Hambley, S.) Regarding verification of community school enrollments. **560** (CONTINUED; 1st Hearing-Sponsor)

Rep. Hambley said the measure would ensure that school districts aren't paying for students who have moved out of the district to attend charter schools.

Currently, school districts must determine when a student has moved out of their jurisdiction in order to stop payments made to a charter school for that district, he said. Under the bill, charter schools would be responsible of notifying the state when a student moves.

The sponsor said it doesn't make sense for the school district to track student residences, particularly because some students who are enrolled in charter schools and their parents have never been in contact with the district.

He said the issue was brought to his attention by schools in his district that found they were paying for students who had moved out of the state to attend online schools.

The bill has received support from the Ohio Education Association, the sponsor added.

SB EDUCATION INFORMATION (LaRose, F.) To require the Education Management Information System to **168** include information regarding persons at whom a student's violent behavior that resulted in discipline was directed and to require the Department of Education to submit a one-time report to the General Assembly regarding that information. (CONTINUED; 1st Hearing-Sponsor)

Sen. LaRose said the bill is aimed at gathering information about student violence against educators or education personnel.

It requires schools to identify the person at whom violent behavior was directed when they report incidents in the Education Management Information System. Individuals will not be reported by name, but rather identified as part of a group, such as teachers or students, he said.

The Department of Education would be required to collect the data and compile it in a report that is provided to the House and Senate.

"This allows the legislature to determine whether this reporting procedure should remain a permanent aspect of EMIS and if further action is warranted to address violence directed against educators," the bill's sponsor said.

Sen. LaRose said the issue was brought to his attention by a group of teachers in his district who had been assaulted by students.

He told Rep. Patmon that he would like to have conversations about how best to keep people safe from violence in school buildings, but doesn't want to provide solutions to student violence against educators unless the data show it's a problem.

"I think we have to let the numbers speak for themselves," he said, adding: "What I don't want to do is guess what the outcome would be."

Rep. Koehler asked if the bill could include parents getting violent at sporting events. Sen. LaRose said that would be "beyond the scope of what we're trying to do."

In talking with education organizations, he said he has found support for gathering information and there was no opponent testimony when the bill moved through the Senate.

Government Accountability & Oversight

HJR CONGRESSIONAL REDISTRICTING (Clyde, K., Curtin, M.) Proposing to enact Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Article XIX of the Constitution of the State of Ohio to revise the redistricting process for congressional districts. (CONTINUED; 1st Hearing-Sponsor)

Rep. Curtin urged the committee to act on the resolution, which he and Rep. Clyde introduced in March 2015 in an effort to turn congressional redistricting over to a bipartisan commission.

Framing the bill against the overwhelming approval of 2015's Issue 1, which established a bipartisan redistricting commission for drawing Statehouse maps, he said the resolution would easily pass muster in the eyes of voters.

Referring to Ohio's congressional districts, he said "those maps are more misshapen and twisted than at any time in Ohio's history. They do not respect neighborhoods or the people that live in them."

He said the current system, in which districts are drawn to benefit the party in control, inspire nothing but "voter cynicism and disgust."

"None of us take pride in this. We can fix this," he said. "We have the template. We only need the political will."

He said the issue is more crucial considering Ohio's likelihood of losing a congressional seat following the 2020 Census. Dropping the ball now, he said, would only push back reform to at least 2032.

"I think we all agree we should be embarrassed by such a prospect should it come to pass," he said.

Committee members asked no questions of the measure. House and Senate leaders have said the issue is not a priority this session, prompting voter advocate groups to vow to pursue their own citizen initiative should the legislature fail to act this year. (See Gongwer Ohio Report, November 1, 2016)

SB CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act. (CONTINUED; 1st Hearing-Sponsor)

This bill would require Ohio insurers to provide annual corporate governance structure disclosures to the superintendent of the Department of Insurance by June 1.

It would also give the superintendent the ability to create rules to mandate the content of those disclosures and establish statutory confidentiality of certain aspects, Sen. Bacon said.

The sponsor said that after the recession, the National Association of Insurance Commissioners and U.S. insurance regulators determined the need for greater understanding of insurers' corporate governance practices.

Sen. Bacon said 10 states have already adopted such a system, which can inconvenience larger companies that must submit records in both Ohio, where there is no such requirement, and other states.

"The Corporate Governance Disclosure Act provides state regulators with greater insight into insurers' corporate governance practices, allowing the superintendent of the Department of Insurance to work proactively with insurers to facilitate effective and prudent management for the long-term success of the company," Sen. Bacon said. "Passage of Senate Bill 273 ensures Ohio's continued compliance with the National Association of Insurance Commissioners' accreditation requirements."

SB SUNSET REVIEW (Jordan, K., Faber, K.) To require standing committees of the General Assembly to 329 establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet. (CONTINUED; 1st Hearing-Sponsor)

Sen. Faber said the bill would strengthen legislative oversight over bureaucrats in the administration by automatically sunsetting departments every two years unless the legislature votes to retain them.

Senate Republicans, when advocating for the measure this summer, said the bill would reassert legislative authority over the executive branch in ensuring the government is operating efficiently.

"This review is no different than what happens with successful companies," Sen. Faber said. "We cannot have state agencies behaving like Blockbuster when the rest of the world is moving to Netflix."

He called the bill "a legislative tool against big government," and highlighted a provision giving lawmakers the authority to review occupational licenses required by agencies.

"Simply put, Senate Bill 329 is about removing the unnecessary entanglement of government and free enterprise, being responsive to its citizens, and enabling Ohioans to build a better life for themselves and their families," he said.

HB POLITICAL PARTIES (Becker, J.) To revise the law concerning electors' political party affiliations, 456 candidates for public office, and the removal of appointed political party central committee members. (CONTINUED; 1st Hearing-Sponsor)

Rep. Becker said the bill would change the method by which Ohio voters can choose their political party affiliation.

Currently, such affiliations are declared when voters choose to participate in a primary election. Once the voter has voting in a specific party's primary, the voter is then unable to change affiliation until the next primary.

Rep. Becker's bill, in contrast, would allow citizens to change their affiliation online. Voters could select a party when registering to vote and quit a current party up to 30 days before an election. In another deviation from current law, the voters would be able to affiliate with any party even if the party is not represented on their current ballot.

"HB 456 is bipartisan in nature," Rep. Becker said. "All political parties, major or minor, will find voter tracking and identification more efficient, allowing for better usage of resources in their targeting and messaging."

He said the bill would also enable political parties to establish rules to remove appointed - but not elected - state and county committee members.

HB 502 CAMPAIGN FINANCE (Becker, J.) To modify the Campaign Finance Law. (CONTINUED; 1st Hearing-Sponsor)

Rep. Becker said this bill would reform certain "outdated or cumbersome" campaign finance rules.

"The intent behind House Bill 502 is not to take away transparency in the political process," he said, "but to modify rules, making campaign finance reporting more efficient."

Provisions of the bill include rounding maximum contributions to the nearest \$100, aligning post-general campaign reports to the calendar year with an end-of-the-year report due Jan. 7, and allowing minimal income and expenditures less than \$100 to be aggregated rather than itemized.

The bill would also phase in electronic reporting requirements for all candidates over three years, render certified mail to candidates permissive rather than required, and permit rather than require the secretary of state to audit a candidate or committee's reports.

In the latter case, if a candidate or campaign is audited, all candidates and their campaigns in that race are to be likewise audited.

HB SPECIAL ELECTIONS (Pelanda, D.) To eliminate the requirement of holding a special election to fill a **591** vacancy in a party nomination for the office of representative to Congress under certain circumstances.

(CONTINUED; 1st Hearing-Sponsor)

Rep. Pelanda outlined the intent of her legislation, which was borne after the state was forced by law to hold a special primary race despite the fact that only one Democrat was pursuing the party's nomination for the 8th Congressional District. (See Gongwer Ohio Report, August 18, 2016)

Like its companion Senate bill (**SB 347**), the measure would eliminate the requirement to hold a special election if there is only one candidate filing or no person filing.

"This specific situation recently occurred with an unneeded special election for the 8th Congressional District in Ohio at a cost of \$500,000 to the county and this common sense legislation will prevent such situations from happening in the future," she said.

Subscribers Note: For full testimony, see the committee's website under Nov. 15.

Judiciary

HB LLC REGULATIONS (Dever, J., Reineke, B.) To permit and regulate managers, members, and interests **581** of series limited liability companies. **(CONTINUED; 1st Hearing-Sponsor)**

The bill, according to its sponsors, is designed to make it easier to do business in Ohio.

"This legislation will allow limited liability companies to operate in the state of Ohio more efficiently by permitting the creation of series within an LLC and offering provisions that ensure that the liabilities and obligations incurred by one series will not threaten the assets held by another series. In more practical terms, this legislation will allow businesses with diverse departments and interests to function freely as separate entities, while maintaining unity in state registration and tax filing under the parent LLC," sponsoring Rep. Dever said.

Sponsoring Rep. Reineke said the measure will be especially beneficial to small businesses.

"This will ultimately result in simpler ways to file taxes and increase access to capital for small businesses with retaining the liability and responsibility of each LLC separately," he said.

SB PERRY COUNTY COURTS (Hottinger, J.) To create the Perry County Municipal Court in New Lexington **299** on January 1, 2017, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. **(CONTINUED; 1st Hearing-Sponsor)**

The measure, according to sponsoring Sen. Hottinger, will create the Perry County Municipal Court while abolishing the Perry County Court.

"The Perry County Court has jurisdiction throughout all of Perry County as no municipal courts have as yet been established in the county. In 2013, the Village of New Lexington ceased operations of its mayor's court to cut costs. This decision has had a direct impact on the ongoing caseloads to the Perry County, as all the caseloads shifted over," he said.

A 2014 review by the Ohio Supreme Court found that existing court would experience a sizeable increase in its workload due to the elimination of the New Lexington court, which has proven to be accurate, according to Sen. Hottinger.

Given the short amount of time left in the General Assembly, Sen. Hottinger asked the panel to act on the measure in an expedited fashion.

SBPROTECTION ORDERS (Bacon, K., Manning, G.) To provide that service of a protection order or consent **76** agreement upon a person is not necessary for the person to be convicted of the offense of violating a protection order if the person had actual notice of the order or agreement and the person recklessly violated its terms. **(REPORTED-AMENDED; 3rd Hearing-All testimony-Possible amendments & vote)**

Before it was reported, the bill was amended to clarify that a prosecutor need not prove that an individual was served with a protection order if there is evidence that he or she had knowledge of its existence.

The bill was reported 10-1, with Rep. Pelanda casting the lone "no" vote.

Subscribers note: Full testimony is available on the committee's [website](#) under Nov. 15.

Finance

HBSTATE OPERATIONS (Becker, J.) To modify the law governing re-employed retirants; to expand the **257**immunity from liability for certain health care professionals, workers, and organizations when providing care to indigent and uninsured individuals; to require the Department of Health to ensure that certain funds are not used to perform elective abortions, or promote or affiliate with any entity that performs elective abortions; to modify the method of calculating the severance tax; to make certain changes to the sales tax; to modify the income tax rates and calculation; and to reduce General Revenue Fund appropriations for the fiscal biennium ending June 30, 2017; and to eliminate Medicaid funding for the group described in section 192(a)(10)(i)(VIII) of the "Social Security Act," 42 U.S.C. 1396a(a)(10)(A)(i)(VIII). **(CONTINUED; 1st Hearing-Sponsor)**

Sponsor Rep. Becker spoke on behalf of his "Becker Budget," which he said was inspired by Gov. Kasich's introduction of a "Kasich Budget" during his time in Congress.

While HB257 was intended to be considered by the conference committee on HB64 in June 2015, Rep. Becker said at this point the committee should "consider it a preview of the Becker Budget for next year in the 132nd General Assembly. The principles are timeless."

The bill used the biennial budget bill as a baseline, but made changes, including slowing state spending growth by \$1.2 billion, reducing income taxes and phasing them out over five years, eliminating the Medicaid expansion and the marriage penalty, and allowing the governor's proposed severance tax to apply only to public lands.

"The principle of this budget is to keep the spending within the inflation rate," he said, with exceptions for debt management and Medicaid.

HBSCHOOL FUNDING (Brenner, A.) To require that each city, local, and exempted village school district **346**receive a per-pupil amount of state funding that is at least as much as the statewide per pupil amount paid for chartered nonpublic schools in Auxiliary Services funds and for administrative cost reimbursement, and to make an appropriation. **(CONTINUED; 1st Hearing-Sponsor)**

Sponsor Rep. Brenner testified in support of the bill, which would tie the school funding floor to the reimbursement rate for charter schools.

The proposal was originally included in the biennial budget bill, but was vetoed by Gov. Kasich.

Rep. Brenner said the bill was designed to make sure additional funding would be guaranteed for each city, local and exempted village district, with each district receiving at least as much per-pupil as the amount paid to charter schools.

A total of 28 districts across the state receive less per-pupil funding than charter schools.

"Many of these school districts have a student population that is growing faster than the districts can facilitate," Rep. Brenner said. "By addressing the funding concerns of these districts, they will be able to better use their resources to compensate for student population growth."

HB CEMETERY GRANTS (Pelanda, D.) To establish the cemetery grant program and to make an **395** appropriation. (CONTINUED; 1st Hearing-Sponsor)

The bill would create a cemetery grant program and includes recommendations from the Ohio Cemetery Law Force Report and Recommendation from 2014, sponsor Rep. Pelanda said.

The measure would provide a new funding stream and new assistance for public cemeteries, she said.

"Since the introduction of this bill, I have had townships across the state express their interest in and support for the legislation because each township has numerous public cemeteries for which they are responsible," she said.

HB LOCAL GOVERNMENT PAYMENTS (Anielski, M., Schuring, K.) To require certain payments made to **412** local governments in which racetracks are located to be made proportionally. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Anielski said the bill adjusts the second and final payment from the Casino Operator Settlement Fund, making sure it is paid in proportion to the amount of real property of a commercial racetrack in each municipal corporation or township.

She gave the example of Northfield Park, which lies in the Village of Northfield, the Village of Walton Hills and Macedonia. Because 82.9% of the track lies within Northfield, that village would receive 82.9% of the second final payment of \$250,000.

"Since each of the municipalities experience the increased traffic flow, it comes down to assisting those other communities in their infrastructure and capital needs," she said.

HB LOCAL GOVERNMENT FUNDS (Smith, K., Boggs, K.) To make supplemental appropriations to the **508** Auditor of State for purposes of distributing these funds to political subdivisions in fiscal caution, watch, or emergency. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Boggs detailed her proposal, which she said would help communities on the fiscal distress list by restoring funding that they would have received under Local Government Fund levels from 2008. The cuts to local government funding since 2011 have led to communities having to cut services and raise taxes, she said.

Communities in fiscal distress have often had to cut their public safety services to make up for the lost funding, she said, giving examples such as Niles, Massillon and Maple Heights.

"While the State is sitting on a \$2 billion surplus, no Ohioans should be concerned for their safety and well-being because of inadequate funding to their local government," she said. "The state has a responsibility to stabilize these 31 communities from the harm, and the Budget Stabilization Funds are intended to be a resource for Ohio and Ohioans in times of economic distress. It is clear that communities are in distress"

The bill would only use 1% of the money stockpiled in the Budget Stabilization Fund, she said.

Sponsor Rep. Smith outlined the problems faced by the City of East Cleveland, which is struggling to maintain its municipal court building and its police and fire departments.

"The Budget Stabilization Fund is often referred to as the Rainy Day Fund. Mr. Chairman and members of the Committee, let me plainly state that it is raining in these 31 communities," he said.

SB PROPERTY TAXES (Beagle, B., Coley, B.) To exempt from property tax the increased value of property **235** on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Coley said the bill would exempt newly developable properties and redevelopment properties from incurring additional property taxes due to land improvements before building construction.

"This legislation is solely for land where no commercial activity is being conducted and there is no construction or reconstruction occurring," Sen. Coley said. "These properties are full of potential for community revitalization and business development. This change will incentivize property owners to enhance land sites for future business and development, rather than the current deterrent factor of increased property taxes for making land more attractive to interested investors."

The change would lead to more ready-to-open construction sites across the state, Sen. Coley said.

"This legislation benefits every entity involved and will benefit Ohio by enhancing local economic development efforts and incentivizing business expansion and new construction projects at no cost to local government and schools," he said. "These long-term benefits are essential and pivotal for our state in remaining competitive through business and economic development."

Rep. Ramos and other members of the committee asked if the policy would encourage property owners to sit on empty property in order to keep their taxes frozen.

"My concern is that, misused from the intention of this legislation, someone like that might be able to make it cheaper and easier for them to sit on it," Rep. Ramos said.

Sponsor Sen. Beagle said he believed there would be incentives for the property owners to make the property more valuable in order to make money from it, and that the property taxes on a neglected property would not likely rise anyway.

"In my anecdotal experience in my district, I don't think I can assume that if I have a negligent property owner, that value would be going up anyway," he said.

Commerce & Labor

HB MINIMUM WAGE (Smith, K., Craig, H.) To increase the state minimum wage to ten dollars and ten **486** cents per hour beginning January 1, 2017. (**CONTINUED**; 1st Hearing-Sponsor)

Under the legislation presented by Reps. Kent Smith and Hearcel Craig, Ohio's minimum wage would increase from \$8.10 to \$10.10 per hour, while tipped employees would be paid no less than half the new minimum wage. The proposed new minimum wage threshold would also be subject to annual adjustments based upon inflation.

Rep. Smith testified that raising Ohio's minimum wage would provide a much-needed assist to working Ohioans struggling to make ends meet. It would mean that over 1 million Ohioans would get a raise and increase household income that would result in approximately \$2.1 billion being circulated into the state's economy. He said the increase would impact 23% of Ohio's children who would see at least one parent getting a raise.

"Ohio does not have a jobs problem, it has a wages problem," he said, adding the recovery of the Great Recession in Ohio lags the nation in virtually every category. He declared the minimum wage increase would

help grow Ohio's economy by putting more money in the hands of those Ohioans who are most likely to reuse those dollars in the commercial sector therefore maximizing the ripple effect in the economy. And he suggested increasing Ohio's minimum wage could lessen the dependency on government programs, adding that an estimated 88,580 Ohioans would no longer need food stamps with that alone saving the state \$153.9 million. He added that research suggests that raising the Ohio minimum wage would bring about a reduction in infant mortality.

Rep. Smith noted that as of January 1, 2017, 26 states will have a higher minimum wage than Ohio.

Rep. Craig said with the current \$8.10 hourly minimum wage, a worker earns \$557 every other week before taxes or \$1,100 per month before taxes. He said too many Ohioans are faced with the reality of sustaining a family on this amount, an amount virtually impossible to imagine with groceries, housing, utilities, transportation, healthcare and other miscellaneous items. He said he hoped those sobering numbers help illustrate the importance of raising the minimum wage, of requiring tipped employees to be paid no less than half that hourly rate and adjust the minimum wage annually for inflation.

"This legislation is an opportunity to rebalance our economy to work for working people. By modernizing wages, we will allow working families to make ends meet, reinvest in their communities and help them better plan for the future," Rep. Craig said.

Rep. Fedor questioned what would be the hold up with the passage of the legislation. "It's an effort to continue to move our state forward."

HB USED TIRES (Sprague, R., DeVitis, T.) To prohibit the installation of unsafe used tires on certain motor vehicles. (CONTINUED; 1st Hearing-Sponsor)

With a badly worn and plugged tire as a prop, Reps. Sprague and DeVitis said that although tires can become severely worn and unsafe, there is nothing in Ohio statute that prevents the installation of unsafe used tires. The legislation would specifically prohibit the installation of such unsafe tires on vehicles that operate on public roads and any such installation of an "unsafe used tire" would be considered an unconscionable consumer sales act or practice and a minor misdemeanor subject to a fine not exceeding \$1,000.

The bill defines unsafe used tires as those worn to 2/32nds of an inch tread depth or less; with any damage exposing the reinforcing plies, including cuts, cracks, punctures, scrapes or wear; with an improper repair; with evidence of prior use of a temporary tire sealant, without evidence of a subsequent tire repair; with a defaced or removed U.S. Department of Transportation Tire ID number; that have been recalled; with inner liner or bead damage; or with any indication of internal separation such as bulges or local areas of irregular tread wear.

Rep. Sprague announced work is continuing with interested parties and an updated version of the bill ensures that roadside assistance companies can continue to help stranded motorists. He noted that roadside repairs are only meant to be temporary and current language in the bill could cause potential problems with those services.

Rep. Landis was assured that the bill would not impact the sale of blemished tires or impact the retread business in Ohio.

HB MICROBUSINESS (Pelanda, D.) To create a statutory definition of "microbusiness." (CONTINUED; 601 1st Hearing-Sponsor)

Rep. Pelanda said the bill would create a statutory definition of microbusiness as independently-owned, for-profit business entities, including affiliates, with fewer than 20 full time employees or part-time equivalent employees located in Ohio. She said the reason for the refinement in the definition is to properly recognize that 97% of small businesses in Ohio would fall under the verbiage. She continued that microbusinesses add value to the economy by creating jobs, enhancing income, strengthening purchasing power, lowering costs and adding business convenience, but they have limited access to commercial lending. She concluded that the formal

recognition in the Revised Code is an important first step to be followed by future legislation to address issues specific to such a large number of business entities in the state.

HCRSTEELWORKER BENEFITS (Slesnick, S., Ramos, D.) To declare the State of Ohio's support of its **14** steelworkers in urging the President and the Congress of the United States to ensure that the Pension Benefit Guaranty Corporation is fully funded and properly administered to pay pension benefits to retired steelworkers and their spouses. (CONTINUED; 1st Hearing-Sponsor)

Rep. Ramos said adoption of the resolution would declare Ohio's support for its steelworkers by urging the President and Congress to ensure full funding of the Pension Benefit Guaranty Corporation (PBGC) and properly administered to pay pension benefits to retired steelworkers and their spouses. He noted the resolution is identical HCR21 (129th General Assembly) approved by the House unanimously in 2012.

Rep. Ramos reported that as a result of the severe economic recession, the PGBC's operating deficit has continued to increase and in 2010 alone, it increased by 4.5%, bringing the deficit to a total of \$23 billion. He said Ohio steelworkers have earned every penny of their pensions and this resolution recognizes the degree to which steel industry pensioners in Ohio depend on and deserve their retirement. Adopting the resolution, he said, would show the people of Ohio that their state has their best interest in mind and would call upon the President and Congress to ensure that those who worked so laboriously and tirelessly to see the retirement that they were assured they would receive.

Finance: Health & Human Services Sub.


SB DRUG REGULATIONS (Eklund, J.) To revise certain laws regarding the regulation of drugs, the practice **319** of pharmacy, and the provision of addiction services. (CONTINUED (See separate story); 2nd Hearing-All testimony-Pending referral)

SB INFANT MORTALITY (Jones, S., Tavares, C.) To provide for the implementation of recommendations **332** made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs. (CONTINUED (See separate story); 2nd Hearing-All testimony-Pending referral)

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Senate Activity for Tuesday, November 15, 2016

INTRODUCED

SB LEADS DISCLOSURE (Eklund, J.) To allow disclosure of information from the law enforcement **365** automated data system (LEADS) to a defendant in a traffic or criminal case. Am. 2913.04 and 2923.129 and to enact section 5503.101.

SB BOARD CONSOLIDATIONS (Seitz, B.) To require the Director of Administrative Services to review **366** referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of SpeechLanguage Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation. Am. 109.572, 119.06, 121.22, 122.071, 125.22, 2135.01, 2305.113, 3313.608, 3701.83, 4723.05, 4725.01, 4725.02, 4725.09, 4725.091, 4725.092, 4725.10, 4725.11, 4725.12, 4725.121, 4725.13, 4725.15, 4725.16, 4725.17, 4725.171, 4725.18, 4725.19, 4725.20, 4725.21, 4725.22, 4725.23, 4725.24, 4725.26, 4725.27, 4725.28, 4725.29, 4725.31, 4725.33, 4725.34, 4725.40, 4725.41, 4725.411, 4725.44, 4725.48, 4725.49, 4725.50, 4725.501, 4725.51, 4725.52, 4725.53, 4725.531, 4725.54, 4725.55, 4725.57, 4725.61, 4729.85, 4731.051, 4731.07, 4731.071, 4731.224, 4731.24, 4731.25, 4732.01, 4732.09, 4732.091, 4732.10, 4732.11, 4732.12, 4732.13, 4732.14, 4732.141, 4732.142, 4732.151, 4732.16, 4732.17, 4732.171, 4732.172, 4732.173, 4732.18, 4732.21, 4732.22, 4732.221, 4732.24, 4732.25, 4732.26, 4732.27, 4732.28, 4732.31, 4732.32, 4732.33, 4743.05, 4745.02, 4747.04, 4747.05, 4747.06, 4747.07, 4747.08, 4747.10, 4747.11, 4747.12, 4747.13, 4747.14, 4747.16, 4747.17, 4752.01, 4752.03, 4752.04, 4752.05, 4752.06, 4752.08, 4752.09, 4752.11, 4752.12, 4752.13, 4752.14, 4752.15, 4752.17, 4752.18, 4752.19, 4752.20, 4753.05, 4753.06, 4753.07, 4753.071, 4753.072, 4753.073, 4753.08, 4753.09, 4753.091, 4753.10, 4753.101, 4753.11, 4753.12, 4753.15, 4753.16, 4755.02, 4755.03, 4755.031, 4755.06, 4755.061, 4755.07, 4755.08, 4755.09, 4755.10, 4755.11, 4755.111, 4755.12, 4755.41, 4755.411, 4755.412, 4755.42, 4755.421, 4755.43, 4755.431, 4755.44, 4755.441, 4755.45, 4755.451, 4755.46, 4755.47, 4755.471, 4755.482, 4755.51, 4755.511, 4755.52, 4755.53, 4755.61, 4755.62, 4755.63, 4755.64, 4755.65, 4755.66, 4755.70, 4755.71, 4755.99, 4757.10, 4757.101, 4757.13, 4757.15, 4757.16, 4757.17, 4757.18, 4757.19, 4757.22, 4757.23, 4757.27, 4757.28, 4757.29, 4757.30, 4757.301, 4757.31, 4757.32, 4757.321, 4757.33, 4757.34, 4757.36, 4757.361, 4757.37, 4757.38, 4757.39, 4757.40, 4757.41, 4757.44, 4757.45, 4758.20, 4758.21, 4758.22, 4758.221, 4758.24, 4758.241, 4758.25, 4758.26, 4758.27, 4758.28, 4758.29, 4758.30, 4758.31, 4758.32, 4758.35, 4758.36, 4758.47, 4758.51, 4758.52, 4758.72, 4759.02, 4759.05, 4759.06, 4759.061, 4759.07, 4759.08, 4759.09, 4759.10, 4759.11, 4759.12, 4761.03, 4761.031, 4761.04, 4761.05, 4761.051, 4761.06, 4761.07, 4761.08, 4761.09, 4761.10, 4761.11, 4761.12, 4761.13, 4761.14, 4761.18, 4776.01, 4779.02, 4779.08, 4779.09, 4779.091,

4779.10, 4779.11, 4779.12, 4779.13, 4779.15, 4779.17, 4779.18, 4779.20, 4779.23, 4779.24, 4779.25, 4779.26, 4779.27, 4779.30, 4779.32, 4779.33, 4779.34, 4783.03, 4783.04, 4783.05, 4783.09, 4783.10, 4783.11, 4783.12, 4783.13, 5119.94, 5120.55, 5122.01, and 5123.46, to enact sections 125.92, 4729.021, 4744.02, 4744.04, 4744.041, 4744.06, 4744.10, 4744.12, 4744.14, 4744.16, 4744.18, 4744.20, 4744.24, 4744.28, 4744.30, 4744.36, 4744.40, 4744.48, 4744.50, 4744.54, 4745.021, 4747.051, 4753.061, 4758.242, 4759.011, and 4761.011, and to repeal sections 4725.03, 4725.04, 4725.05, 4725.06, 4725.07, 4725.08, 4725.42, 4725.43, 4725.45, 4725.46, 4725.47, 4732.02, 4732.021, 4732.03, 4732.05, 4732.06, 4732.07, 4732.08, 4747.03, 4753.03, 4753.04, 4755.01, 4757.03, 4757.04, 4757.05, 4757.06, 4757.07, 4757.11, 4758.10, 4758.11, 4758.12, 4758.13, 4758.15, 4758.16, 4758.17, 4758.18, 4758.23, 4759.03, 4759.04, 4761.02, 4779.05, 4779.06, 4779.07, 4779.16, 4779.21, and 4779.22.

REFERRED

Government Oversight & Reform:

SB LAND CONVEYANCES (Peterson, B.) To authorize the conveyance of, and the granting of perpetual **364** easements to, state-owned real property.

Health & Human Services:

SB MONTH DESIGNATION (Beagle, B., Peterson, B.) To designate the period beginning March 13 and **360** ending April 15 as "Ohio Deaf History Month."

SCRAMERICANS WITH DISABILITIES ACT (Yuko, K.) To urge Congress to amend the Americans with **24** Disabilities Act and adopt an international symbol of access that includes a dynamic character leaning forward with a sense of movement.

State & Local Government:

SB PUBLIC RECORDS (Hughes, J.) To exempt certain personal information of former and retired peace **362** officers from public records requests and to allow such officers to use a former business address on their driver's licenses and motor vehicle registrations.

Transportation, Commerce & Labor:

SB 359 LICENSE PLATE (Uecker, J.) To create the Down Syndrome Awareness license plate.

SB 361 LICENSE PLATE (Thomas, C.) To create the "Triple Negative Breast Cancer Awareness" license plate.

SB 363 LICENCE PLATE (Oelslager, S.) To create the "Buckeye Corvette" license plate.

COMMITTEE HEARINGS

Education

HB FINANCIAL LITERACY (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the "Informed Student Document Act." (CONTINUED; 1st Hearing-Sponsor)

The average amount of debt that university students in Ohio graduate with is \$29,353, and many are shocked to learn how much they owe upon leaving their four-year institutions, Rep. McColley said.

His measure aims to reduce the amount of borrowing students do as well as help them prepare for their financial futures, he said.

The sponsor pointed to an Investor Education Foundation study that found students had higher credit scores in states where financial literacy education was required.

"The instruction in economics and financial literacy provided for in this legislation will include reviewing information included in the informed student document...and lessons in sound money management, credit, investments, and instruction on how to calculate on loans, all of which is important information to have in order to be financially stable," Rep. McColley said.

Sen. Coley questioned why a unit in economics wasn't included in the bill. He said students should know how the economy works so that they understand policies that can impact their money.

Rep. McColley said he and his co-sponsor Rep. Hagan are open to changes to the bill, but the aim of the bill is on helping students understand basic financial knowledge about interest, credit and money management.

He told Sen. Lehner that although students won't sign an Informed Student Document Act created by the bill until they enroll in higher education, high schools would have to teach about it to prepare them.

Students would be required to take a half-unit of financial literacy to graduate, but students would not have to reach a certain score on an end-of-course exam to earn diplomas, Rep. McColley said.

HB TRUANCY (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (CONTINUED; 4th Hearing-All testimony)

Ohio Education Association Vice President Scott DiMauro testified in support of the measure, saying "habitual truancy is a significant barrier to academic achievement," and "combatting this problem requires early intervention."

The organization has long opposed policies that would require schools to institute discipline policies that don't take into consideration the circumstances when safety is not at issue, he said.

"Discipline policies that provide fairness and appropriateness are crucial," Mr. DiMauro said. "The 2008 report, Are Zero Tolerance Policies Effective in the School?, commissioned by the American Psychological Association Zero Tolerance Task Force, states that pre-determined consequences do not deter student misbehavior or promote learning. The report concluded that zero tolerance policies often lead to higher dropout rates and an increase in poor behavior."

OEA is also supportive of the bill's requirements for schools to find alternative disciplines for truancy that don't immediately involve law enforcement, he said. However, it's possible some schools may not be able to meet the bill's prescriptions for absence intervention teams that are part of a more holistic response to truancy.

"OEA believes financial resources are needed to ensure successful implementation and are a critical component to achieve successful outcomes," Mr. DiMauro said.

Gabriella Celeste, policy director of the Schubert Center at Case Western Reserve University, also applauded the bill for its aim to seek alternatives to out-of-school suspensions when students don't pose threats to others.

"Positive social connection is essential to our children's healthy development," she said. "More specifically, school connectedness matters. When students feel cared for and have a sense of belonging to their school community, they become less likely to engage in risky behaviors such as substance use, violence, or sexual activity at an early age."

She also offered support for proposed amendments that would allow students to make up missed class work during suspensions and prohibit schools from carrying suspensions over from the end of one school year to the start of another.

Nicole Marcus, with the Ohio State University chapter of Students for Education Reform, also called on the committee to include a proposed amendment that clarifies that zero tolerance policies would only apply to students who are a safety threat to themselves or others.

HB WEEK DESIGNATION (Patterson, J.) To designate the week prior to the week of Thanksgiving Day as **438** "Ohio Public Education Appreciation Week." (CONTINUED; 1st Hearing-Sponsor)

Rep. Patterson said the proposed appreciation week would line up with American Education Week, which is currently underway.

The former teacher said the bill is a thank you to public school teachers for their hard work that too often goes unpraised.

It seeks to "encourage public education, to affirm its purpose during one week in November, and by so doing, to send a message to our students, our teachers, and our communities that we support their efforts and believe in their mission to promote the happiness of mankind and the sustenance of good government," he said.

HB SCHOOL ACTIVITIES (McColley, R.) With regard to student participation in extracurricular activities **441** and interscholastic athletics. (CONTINUED; 1st Hearing-Sponsor)

The measure would allow students who attend private schools to participate in extracurricular activities in districts other than their home districts, Rep. McColley said. The bill is intended to aid those students who attend private school in neighborhoods closer to other districts than to the one they are assigned to.

"This provision is necessary in rural districts like mine especially, due to the long distances many students travel to attend a nonpublic school. Allowing these students to play sports or participate in afterschool activities at a public school much closer to the school they attend, will prevent travel time back to their home districts from restricting their participation in extracurricular activities," the sponsor said.

To ensure districts are not recruiting students for athletics, Mr. McColley said a provision was added that requires students to receive approval from superintendents of their home schools and the districts for which they would be playing sports.

The measure also clarifies that students who participate in College Credit Plus are eligible to take part in extracurricular activities at their home schools.

"Favorable consideration will ensure that no student ever has to weigh the choice of going to a nonpublic school against the choice of participating in extracurricular activities or taking classes at the college level while still in high school," Rep. McColley said. "Instead of pitting these decisions against each other, House Bill 441 encourages school choice, participation in extracurricular activities, and the College Credit Plus program, all of which are outstanding options that children should take advantage of."

HB ABUSE PREVENTION (Ramos, D., Hagan, C.) With respect to age-appropriate student instruction in child **85** sexual abuse and sexual violence prevention and in-service staff training in child sexual abuse prevention.

■ (CONTINUED; 1st Hearing-Sponsor)

Rep. Ramos said he worked with students from Lorain County Community College to draft the legislation that aims to prevent sexual abuse and provide emotional and educational support to children who have been abused.

In the U.S., as many as one in four girls and one in six boys are sexually assaulted before age 18, he said. Only one in 10 children reports the abuse.

"As a state, and as a nation, we have failed to establish an environment that protects our children's innocence. Furthermore, we have failed to establish a safe forum to help children that have been abused identify those actions as abuse and get help in obtaining intervention, recovering and protecting themselves in the future," Rep. Ramos said.

The bill leaves the instruction content up to the local school districts and ensures the Department of Education provides materials and support to schools, he said.

HB MEDICAID SCHOOL PROGRAM (DeVitis, T.) Regarding the Medicaid School Program.
89 ■ (CONTINUED; 1st Hearing-Sponsor)

Rep. DeVitis said he's worked with the Department of Medicaid to make a number of changes to the Medicaid to School program since introducing the bill last year, but there are still relevant provisions that need legislative approval.

Without the legislation, he said the \$72 million in federal reimbursements Ohio receives for special education services for students who are Medicaid eligible and IEPs are at risk.

Federal funds can be reimbursed for physical therapy, occupational therapy, speech therapy as long as they are ordered and prescribed by a physician, advanced practice nurse or licensed therapist, he said.

However, Ohio's law does not include clear language permitting therapists to order, refer or prescribe services to students.

"Let me stress that this bill does not increase the number of children on Medicaid nor does it require any state or local school financial match," Rep. DeVitis told the panel. "This bill is about protecting the \$72 million our local schools are collectively reimbursed each year for special education services."

Governor's Appointment: Without discussion, the committee approved the governor's appointment of Curt Steiner to the Broadcast Educational Media Commission.

Energy & Natural Resources

SB RENEWABLE ENERGY (Seitz, B.) To revise the requirements for renewable energy, energy efficiency, **320** and peak demand reduction, to permit property owners to petition municipal corporations and townships for the purpose of developing and implementing special energy improvement projects, to govern condominium association participation in special improvement districts, to require deployment and permit cost recovery of advanced energy analytics technology by electric distribution utilities, and to revise the law governing net metering service provided by electric utilities and electric services companies. (CONTINUED (See separate story); 2nd Hearing-Proponent)

SB ENVIRONMENTAL LAWS (Hite, C.) To revise specified laws relating to environmental protection.
333 ■ (CONTINUED; 1st Hearing-Sponsor)

Sen. Hite described the bill, Gov. John Kasich's second EPA mid-biennium review bill, as a "labor of love." The bill would refocus the Lake Erie Commission on helping Ohio meet its commitments under the Great Lakes Water Quality Initiative.

He credited EPA Director Craig Butler and staff for listening and responding to feedback.

"There's still work to be done, there's still going to be updated material," he said of the bill. "I just want you to know here this is our way in Ohio of saying we're going to protect our environment, and improve water quality, we will doggone take care of Lake Erie in the best way possible and all our water systems."

Director Butler then described it as a "broad" bill that will better focus the state's time and resources. A key change, he said, is language requiring private water systems to maintain a financial mechanism to quickly access during a drinking water emergency.

He said the bill is more flexible than an earlier proposal in the most recent budget that aimed to accomplish that same goal. The bill would also require the implementation of asset management plans.

"We have found that users of water systems without asset management programs have endured extended periods of water use restrictions or no water at all due to issues such as deferred maintenance, lack of management oversight, no historical records of water lines or maps of service areas," he said.

The bill would also permit the director authority to waive, modify, transfer or revoke a 401 water quality certification under the Clean Water Act.

SR IVORY TRADE (LaRose, F.) To encourage the implementation and full enforcement of rules adopted by 589 the United States Fish and Wildlife Service for the protection of the African elephant from the illegal ivory trade. (CONTINUED; 1st Hearing-Sponsor)

Sen. LaRose recounted his travels to Botswana and Namibia during which he said he saw the impact of poaching firsthand.

He said his resolution encourages the federal government to fully implement and enforce rules adopted by the U.S. Fish and Wildlife Service to stem the killing of African elephants encouraged by U.S. demand for illegally-obtained ivory.

"These regulations, if fully enforced, will help prevent illegal wildlife products from entering the supply chain, which are fueling a world-wide surge of organized crime, militant groups, including terrorist organizations, and illegal trafficking of ivory," he testified. "This undermines security around the globe and threatens to push to extinction one of the world's most iconic species, the African elephant."

The senator said he has support from the Cleveland Orchestra, the Cleveland Natural History Museum of Art, Ivory Free Ohio, and all the accredited zoos in the state.

Governor's Appointments: The committee approved the appointments of Kelly Bensman, John Bayliss, Jenna Hicks, Kimberly McConville, Beth Mowrey, and Brian Winter to the Materials Management Advisory Council; Koral Clum and George Mizer to the Reclamation Commission; Scott Fleming and James Rocco to the Petroleum Underground Storage Tank Release Compensation Board; Samuel Gerhardstein to the Water Development Authority; Charles Patterson to the State Board of Sanitarian Registration; Thomas Price to the Soil and Water Conservation Commission; and James Simon to the Air Quality Development Authority.

Subscribers Note: For full testimony, see the [committee's website](#) under Nov. 15.

State & Local Government

HB CHIROPRACTORS (Schuring, K.) To authorize chiropractors to engage in certain activities involving 276 nutrition-related items and therapies, nonprescription drugs, and medical goods and devices. (CONTINUED; 1st Hearing-Sponsor)

Rep. Schuring described the bill as an offshoot of prior legislation he proposed that passed during the 129th General Assembly.

The bill, which passed unanimously from the House, would codify practices related to nutrition and medical therapies that chiropractors currently engage in, Rep. Schuring said.

He explained that although the Ohio State Medical Association initially expressed concerns with the bill, those issues were addressed as the bill moved through the House.

SB 306 DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." (CONTINUED; 1st Hearing-Sponsor)

Legislative aide Kelly Kefauver addressed the committee on behalf of Sen. Yuko, saying the bill would honor Harrison Dillard, the former track and field athlete who is the only man to win Olympic titles in both sprinting and hurdling. A Cleveland native, the four-time Olympic gold medalist also tied a number of world records.

"He was Sen. Yuko's neighbor for several years and still resides in Richmond Heights, Ohio," Ms. Kefauver said. "Sen. Yuko was honored to represent him and he has spent his life making our city and our state better."

SB POLICE TRAINING (Hite, C.) To require the Ohio peace officer training commission to develop and 322conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police. (CONTINUED; 2nd Hearing-PropONENT)

Ada Police Chief Michael Harnishfeger, on behalf of the Ohio Association of Chiefs of Police, said the bill would equip chiefs of police with "critically important training" covering topics including: diversity, community-police relations, ethics, equal employment, sexual harassment, implicit bias, public records, budgeting and more.

"Along with these important topics new police chiefs shall also receive instruction on Ohio-specific issues that all chiefs must adhere to, including continuing education requirements and Ohio Peace Officer Training Commission reporting requirements for police officer appointments and terminations," he said.

The legislation would require any chief appointed subsequent to the bill's passage to undertake 40 hours of specialized training within six months. The commission could grant an additional six-month extension.

Responding to a question raised during a prior hearing, Mr. Harnishfeger said training participants are tested to ensure content retention. And he said nearly 72% of Ohio police agencies are made up of 20 or fewer officers - leading many departments to hire "whoever is next in line" should a chief depart even if that individual lacks training.

"We realize that 40-hours of training will not make a police chief, however, SB322 offers our newly appointed police chiefs a solid foundation and resources from which to pull at the start of their police chief career," he said.

Responding to a question from Sen. Hughes, Mr. Harnishfeger said the bill would exempt from some training anyone who has already undergone substantial training. But that person would still be required to attend the last 16 hours of the training.

Sen. Brown said she likes the idea of the topics covered by the training but questioned whether training in diversity, EEOC, harassment, or bias can be tackled in 40 hours. "Do you think perhaps a requirement that a refresher course should be completed periodically so more emphasis could be put on some of these subjects?"

Mr. Harnishfeger said he's unsure about follow-up training, but the bill is a large improvement over the current system in which no such training is required.

"Since the beginning of Ohio history it's never been required for a police chief to attend even one hour of training," he said. "The next guy in line in many cases gets the job. Perhaps in the future that's something that can be looked at."

Responding to Sen. Thomas, Mr. Harnishfeger said the OACP is not advocating for a pass/fail training setup, because such a system may undermine a local jurisdiction's right to select its own chief.

"To say that, at the end of the course if you fail what do we do with that person then?" he asked. "We could not get that type of buy in at least from members of the Association of Chiefs of Police. The members felt it was really important for that local government entity to be able to select the person they want."

Sen. Seitz questioned how the bill would apply to an experienced police chief recruited from another state. Mr. Harnishfeger again referred to the bill's exemption for those already having participated in comparable training.

SB PRIMARY ELECTIONS (LaRose, F.) To expand the circumstances under which a board of elections or **347** the secretary of state is not required to hold a primary election. (CONTINUED; 1st Hearing-Sponsor)

Sen. LaRose said his bill would save tax dollars by eliminating "wasteful and superfluous" uncontested primary elections.

The measure was inspired by the recent primary in the 8th Congressional District, in which Democrat Corey Foister withdrew 107 days before the general election. Even though just one Democrat, Steve Fought, sought to replace Mr. Foister as a candidate, the state was still legally required to hold a special primary with that one candidate.

Secretary of State Jon Husted has pinned the cost for the uncontested special primary at \$505,796. (See Gongwer Ohio Report, August 18, 2016)

"Under this bill, the need for a primary would not be triggered by the number of candidates who file, but instead by the number of candidates who are certified as a candidate," Sen. LaRose said. "This much needed reform would ensure that primary elections would no longer be required when one or more candidates of any party die, withdraw, or become disqualified when the number of remaining nominees is equivalent to the number of candidates allowed for that party and office."

He said the bill would also remove language from Revised Code dictating that a special primary election must be held to fill a vacancy in a party nomination should a person withdraw more than 90 days before the general election even if the race is uncontested.

"SB 347 would remove the requirement for this unnecessary and costly election and instead would give the secretary of state the responsibility to declare the sole remaining candidate as the nominee," he said.

"These common sense reforms will provide greater efficiency in the administration of our elections and remove an unnecessary financial burden placed on our local communities and the state resulting in significant savings of the Ohio's taxpayers."

SB GAMING LAWS (Coley, B.) To classify fantasy sports and betting on the outcome of an E sports contest as **356** schemes of chance, and to grant the Ohio Casino Control Commission authority to regulate pools not conducted for profit. (CONTINUED (See separate story); 1st Hearing-Sponsor)

Governor's Appointments: The committee also recommended full Senate confirmation of the appointments of Sheila Fox, Brenda Stier-Anstine, Judith Turner, Michael Bertolone, and John Habat to the Commission on Service and Volunteerism; Lora Miller to the Retirement Study Council; Steven Rench to the Real Estate Appraiser Board; and Kirk Roberts and Rufus Slade to the Cemetery Dispute Resolution Commission.

Subscribers Note: For full testimony, see the committee's website under Nov. 15.

Civil Justice

HBESTATE LAW (Cupp, R., Rezabek, J.) To revise the law governing decedent's estates by making changes in **432** the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act,

■ and the Uniform Simultaneous Death Act. (CONTINUED; 1st Hearing-Sponsor)

The bill will make a dozen changes to the probate code, according to sponsoring Rep. Cupp.

"The probate code was established to ensure that wealth and property is transferred from generation to generation in the most expeditious an unencumbered way. This is always a work in progress. As new and better ways are developed to make these transfers, the General Assembly will be called upon to amend it further," he said.

The bill would: address provisions of the Uniform Simultaneous Death Act; allow for the deposits of wills before or after death; and expand the age range at which custodial assets must be distributed to a minor.

Sponsoring Rep. Rezabek said the bill will "bring clarity, efficiency, and needed updates to provisions of Ohio's the probate code relating to estates, trusts, powers of appointment, and transfers to minors."

HBPROTECTION ORDERS (Boose, T.) To provide that an individual's statutory priority to decide whether or **451**not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (CONTINUED; 1st Hearing-Sponsor)

The bill, according to Sponsor Boose, was introduced to avoid a situation similar to the one faced in 2011 by the family of a dying Norwalk woman.

After being attacked by her estranged husband, Maria Vera was placed on life support. Her family, upon being told that she would not recover, sought to take her off life support and donate her organs. However, her estranged husband and attacker would initially not consent.

"Current statute did not allow for an expedited court process through which the family could challenge the husband's decision," Rep. Boose said. "By the time the husband waived his rights, the constituent's organs had deteriorated to a condition which made them unusable for donation."

Under the measure, individuals subject to a temporary protection order or civil protection order will be denied statutory priority in making end-of-life decisions if that person is the victim of an attack.

"Statutory priority will also be denied if the individual and the relative are married and are parties to a divorce, dissolution, legal separation, or annulment proceeding," Rep. Boose said.

HBMORTGAGE FORECLOSURES (Dever, J.) To establish expedited actions to foreclose mortgages on **463**vacant and abandoned residential properties, to permit private selling officers to conduct judicial and execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure actions, to revise the Commercial Paper Law relating to mortgages and lost instruments, and to make other changes relative to foreclosure actions. (CONTINUED; 1st Hearing-Sponsor-Possible amendments)

Lacking a quorum, an expected substitute bill was not introduced. However, sponsoring Rep. Dever said it will do three things: make revisions to the Ohio Uniform Commercial Code; clarify the expedited foreclosure language; and add provisions on partial property tax exemptions for brownfield properties.

"The proposed modifications to the Uniform Commercial Code have the support of the American Bar Association and the American Law Institute and have been adopted in 11 states and the District of Columbia. The main changes pertain to the elimination of double payment obligation, unsigned and telephonically authorized checks, electronic records and signatures, and modernized suretyship rules. Elimination of double payment obligation provides protection for innocent makers of negotiable notes which are sold," he said.

"For the unsigned and telephonically authorized checks, the changes will shift the burden of payment to the bank where checks are deposited. These updates will ensure that the Ohio UCC is up to pace with current legal

parameters and help establish further efficiency in transactions that deal with negotiable instruments."

HB CHILD ABUSE REPORTING (Sears, B., Ryan, S.) To make changes in the child abuse and neglect 493 reporting law. (CONTINUED; 1st Hearing-Sponsor & proponent)

The measure modifies and clarifies child abuse reporting responsibilities for medical professionals, according to sponsoring Rep. Ryan.

"The proposed legislation provides immunity for medical professionals acting in accordance with the law; expressly permits current (and future) medical technology to be used in the diagnosis and treatment; streamlines and clarifies information sharing and reporting responsibilities in a modern treatment environment; recognizes the importance of sibling examinations and safe discharge planning as part of a medical evaluation," he said.

The bill, according to Rep. Ryan, has earned the support of Public Children's Services Association of Ohio.

Dr. Megan Letson, medical director at the Center for Family Safety & Healing and the Division Chief for Child and Family Advocacy at Nationwide Children's Hospital, told the panel that the current child abuse reporting law is outdated.

The proposed measure, she said, "provides immunity for medical professionals acting in accordance with the law; recognizes new medical technology to be used in diagnosis and treatment; streamlines reporting responsibilities in a modern treatment environment; and recognizes the importance of sibling examinations and safe discharge planning as part of a medical evaluation."

HB CHILD ABUSE REPORTING (Pelanda, D., Grossman, C.) To require mandatory reporters of child abuse 63 or neglect to notify the county public children services agency when an attorney in fact under a document that purports to grant parental rights requests services from them, to require the agency to investigate the child's placement with the attorney in fact, and to require the agency to file a dependency complaint if it determines that the placement is unsafe for the child. (CONTINUED (See separate story); 1st Hearing-Sponsor)

SB DIGITAL ASSETS (Oelslager, S.) To adopt the Revised Uniform Fiduciary Access to Digital Assets 358 Act. (CONTINUED; 1st Hearing-Sponsor)

The measure, according to Sen. Oelslager, will allow Ohioans to control digital assets the same as physical assets.

"Why is it important that Ohio enact language regarding digital assets? Consider this: A single father of three dies without a will. The decedent conducted all bank, investment, and personal business online with password-protected accounts. The decedent's email sign-in information was unavailable and both his computer and smart phone were password protected and encrypted," he said.

"A family member applied to serve as administrator of the gentleman's estate. The applicant did not have access to hard copy 1099 forms, which would help determine the nature and extent of the decedent's assets. Bond for the administrator was difficult to properly determine under O.R.C. 2109.04 since the probable value of the personal property that might come into the possession of the fiduciary was unascertainable."

The measure provides Ohioans the opportunity to plan for the management of digital assets and communication through fiduciaries; creates a system to deal with conflicting instructions; gives internet service providers the legal authority to deal with fiduciaries; and defines the digital assets powers held by an agent acting under power of attorney.

Governor's Appointments: The committee recommended full Senate confirmation of the governor's appointment Leonard Hubert to the Ohio Civil Rights Commission.

Subscriber's note: Full testimony is available on the committee's [website](#) under Nov. 15.

Transportation, Commerce & Labor

HB BICYCLE OPERATIONS (Henne, M., Sheehy, M.) To provide that when a motor vehicle passes a bicycle **154** the safe passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights. (CONTINUED; 1st Hearing-Sponsor)

In sponsor testimony, Reps. Henne and Sheehy said the bill is designed to clear up ambiguities with the presence of motor vehicles and bicycles sharing the same roadways. Rep. Henne explained the bill would establish a three-foot safe passing distance between a bicycle and motor vehicle when that motor vehicle catches up to and overtakes the bicycle. It would bring uniformity throughout the state as some cities, including Cincinnati, Cleveland and Toledo, have ordinances with others under consideration to implement the three-foot minimum passing clearance law, he said. Additionally, the legislation would allow all vehicles to proceed with caution through an intersection after stopping and yielding if traffic signals are malfunctioning, including the failure of a vehicle detector to detect that vehicle.

Chairman LaRose questioned the enforceability of the three-foot passing distance, suggesting it would be open to interpretation. Rep. Henne responded that local law enforcement currently has discretion in all traffic law situations.

HB TRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise **341** the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (CONTINUED; 1st Hearing-Sponsor)

Declaring that tow truck operators perform a thankless but necessary service, sponsor Rep. Young said the bill makes needed changes to improve the towing laws for an industry that provides invaluable services to commerce, safety, law enforcement and recreation. Tow truck operators help to keep roads open, parking lots cleared, save stranded motorists, clear roads for safety services to operate, store vehicles and perform other daily tasks that would otherwise be prohibitive to state government, he said.

The bill would direct the PUCO to establish maximum fees within a year of the effective date of the bill and review those fees every five years thereafter. Rep. Young said those fees were last set in the early 1990s. Additionally, two companies and places of storage would be permitted to charge an after-hours retrieval fee for the retrieval of non-medical personal items unless determined by law enforcement to be key in a criminal investigation.

For vehicles valued under \$4,400, a towing company or storage facility would be authorized to deduct the cost of a tow and up to 60 days of storage fees during the affidavit process to obtain the title of a vehicle. Further the affidavit process could be used to clear their lot of "junk" vehicles - defined as vehicles with a value of under \$1,500 - when certain notification attempts are made to the last known owner/address and if the vehicle is inoperable and can't be restored to highway operation.

The bill also changes the criteria for revoking a tow license to a tiered penalty system to treat clerical errors as minor violations and property abuses as major violations. Rep. Young said current law puts a towing company license in jeopardy for six months following any three violations, including violations that are very minor in nature and not worthy of forcing a tow company out of business.

A final component of the bill provides for the creation of a Towing and Quick Clear Board to review and settle disputes between insurers and the towing company. The seven member board will be responsible for remediating disputes of charges. Findings against the insurer could lead to an order to pay the full amount and for, repeat offenders, payment of triple the difference. Findings against the tower may determine services have been paid in full, a possible fine of up to \$1,000 for "gouging" and possible loss of PUCO license for multiple repeat offenses.

HB BOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or **455** township to establish a boarding school zone and a special speed limit within that zone. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Patterson said the permissive bill would allow local legislative authorities to establish board school zones after consulting with the administration of a boarding school and the county engineers to determine the boundaries of the zone, the speed limit within that zone and the hours that the altered speed limit would be in effect. He said the bill was the result of the Grand River Academy in Ashtabula requesting a boarding school zone in Austinburg Township which was questioned by Ashtabula County Prosecutor Nicholas Iarocci as to the legal authority of the township legislative body to establish such a zone for a non-traditional school.

The sponsor said it was decided in crafting the bill to allow each community to decide for themselves what speed and time frame makes most sense for their specific situation rather than restrict their decisions by putting those provisions in statute.

"While we generally believe it would make sense to codify speed limits and hours uniformly, because there are only seven boarding schools in total throughout the state and because their needs can vary so greatly, we made the decision to leave those specifications up to local control," he told the committee. He made it clear the bill does not require a local government to establish a boarding school zone, but codifies that authority to better accommodate the needs of a boarding school.

HB REAL ESTATE SALES (Smith, R.) Relating to real estate brokers and salespersons. (**CONTINUED**; **532** 1st Hearing-Sponsor)

In sponsor testimony that echoed his presentation before the House panel, Rep. Smith said the bill represents the work of a special task force created in 2012 by the Ohio Real Estate Commission to devise a plan for the modernization of the state's real estate licensing structure. The recommendation provides for the establishment of three subcategories of broker licensure - principal broker, management level broker and associate broker - and two subcategories of sales licensure - management level salesperson and salesperson, as proposed by brokers and agents from various sized residential and commercial companies, representatives of the Ohio Division of Real Estate and relative trade groups.

The changes, he said, would allow the Ohio Division of Real Estate to hold accountable the principal broker for supervisory duties and eliminate that responsibility from those who have earned a broker's license and wish to use that designation but not wish to have oversight responsibilities within a firm. Further, the change to the management level salesperson/salesperson designation differentiates between those with and without some supervisory duties.

The legislation also grants the Real Estate Commission disciplinary authority over any licensee who acts like a broker but does not have a broker's license to halt a recent occurrence arising where sales licensees are establishing de facto brokerages outside their affiliation.

Other changes written into the bill, as recommended by the task force, include three hours of continuing education concentrating on the duties of a broker to assist in their supervisory duties and allowing a principal broker to be a broker in more than one company to serve in a supervisory role for separate companies under one umbrella with proper disclosure. Also, there would be a doubling to 20 hours of the post-licensure requirement for real estate licensees.

Included in the bill but not part of the task force's original recommendations is a codification of how a licensee handles contemporaneous offers and an expansion of opportunities for prospective licensees to gain the required pre-license coursework by allowing the courses to be taken on-line as well as in the classroom, Rep. Smith said. The courses would have to be certified by institutions of higher education as regulated by the Department of Higher Education or the Ohio State Board of Career Colleges and Schools.

Courses taken to satisfy the pre-licensure would become credit-eligible courses, meaning that students who take such courses as non-credit at a significant savings would later be able to convert the coursework for credit if they wish to pursue a degree at a later time. The legislation would also charge the Department of Higher Education with review of all courses and providers of pre-licensure education to ensure course quality and subject matter appropriateness.

The legislation enjoys the support the of Ohio Division of Real Estate, the Ohio Real Estate Commission, the Ohio Association of Realtors and the Ohio Association of Community Colleges, he said.

SB ROAD NAMING (Hughes, J.) To designate a portion of Interstate Route 270 in Franklin County as the **337 "Hilliard Patrol Officer Sean Johnson Memorial Highway."** (**REPORTED**; 1st Hearing-All testimony-
Possible vote)

Sponsor Hughes, whose 16th Senate District includes the City of Hilliard, asked for the designation of the portion I-270 in Franklin County in memory and honor of Hilliard Patrol Officer Sean Johnson, a 16-year veteran of the Hilliard Division of Police. The first Hilliard officer to be killed in the line of duty in the division's 56-year history, Officer Johnson was killed during training as part of a newly established traffic-safety unit.

Officer Johnson, prior to his service with the Hilliard police, served with the attorney general's Ohio Investigative Unit and as a deputy with the Fairfield County Sheriff's Office.

Sen. Hughes, as part of his sponsor testimony, presented a resolution in support of the highway designation in memory of Officer Johnson from the Hilliard City Council.

In written testimony, Hilliard Police Chief Robert Fisher also spoke on behalf of Officer Johnson and in support of the legislation. He said Officer Johnson served the community with dedication earning many awards and commendations during his 16 years of service. He said the impact the officer had on the community became apparent when he was escorted through Hilliard one last time with thousands of people lining the streets to pay tribute to a fallen officer who gave his life to help others.


Governor's Appointment: The committee also recommended full Senate confirmation of the governor's appointment of Sarah Daggett Morrison as Administrator/CEO of the Ohio Bureau of Workers Compensation. She was appointed interim in early April with the departure to the private sector of Steve Buehrer and then designated as the permanent Administrator/CEO in mid-May. Prior to her appointment, Ms. Morrison had served the BWC as chief legal counsel for four years following 15 years in private law practice in the Columbus area.

Additionally, the committee confirmed Ms. Morrison's appointment of Kevin R. Abrams as the bureau's Chief Operating Officer. From 2011, Mr. Abrams previously served as Chief of Employer Services and as a public member on the Industrial Commission of Ohio.

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GONGWER Ohio
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Daily Activity Planner for Wednesday, November 16

Legislative Committees

Senate Government Oversight & Reform (*Committee Record*) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 8:45 a.m.

HB CIVIL FORFEITURES (McColley, R., Brinkman, T.) To modify the laws governing criminal and civil asset forfeitures, to revise the procedures upon a writ of execution of goods claimed by a person other than the defendant, and to establish the offense of receiving proceeds of a drug abuse, theft, or human trafficking offense and permit the state to file a civil action against the person who allegedly committed that offense under certain circumstances. (1st Hearing-Sponsor)

SB DENTAL THERAPISTS (Lehner, P.) To establish licensing requirements for dental therapists. (1st Hearing-Sponsor)

HCREDUCTION ACT (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 2015. (1st Hearing-Sponsor)

SB DAY DESIGNATION (Tavares, C.) To designate March 31st as 'Cesar E. Chavez Day' in Ohio. (1st Hearing-Sponsor)

SB DRONES (Skindell, M., Seitz, B.) To regulate the use of drones for gathering evidence and information by law enforcement officers in Ohio. (1st Hearing-Sponsor)

SR CAMPAIGN SPEECH (Skindell, M.) To call on legislators at the state and federal level and other communities and jurisdictions to support an amendment to the United States Constitution that would abolish corporate personhood and the doctrine of money as speech. (1st Hearing-Sponsor)

SB PAWNBROKERS (Eklund, J.) To make changes to the law relating to pawnbrokers. (5th Hearing-All testimony-Possible amendments & vote)

House Finance (*Committee Record*) (Chr. Smith, R., 466-1366), Rm. 313, 9 a.m.

HB COLLECTIVE BARGAINING (Becker, J.) To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation. (Possible re-referral)

SB PROPERTY TAXES (Beagle, B., Coley, B.) To exempt from property tax the increased value of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property. (2nd Hearing-All testimony)

HR HIGHER EDUCATION (Howse, S., Ramos, D.) To support efforts to ensure that students from Ohio have access to debt-free higher education at public colleges and universities. (1st Hearing-Sponsor)

HB CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.) To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. (1st Hearing-Sponsor)

HJR WATER SEWER BONDS (Lepore-Hagan, M., Smith, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements. (1st Hearing-Sponsor)

HB MEDICAL GRANTS (Ramos, D.) To create the Frances Lewandowski Memorial Medical Research Fund **67** and the Medical University Research Reserve Fund to provide grants to public medical schools for research on terminal, chronic or currently incurable diseases, to require the General Assembly annually to appropriate for those grants an amount equal to not less than one-tenth of one percent of total prior year General Revenue Fund appropriations, and to make an appropriation. (1st Hearing-Sponsor)

~~Canceled: **House Economic & Workforce Development (Committee Record)** (Chr. Romanchuk, M., 466-5802), Rm. 114, 9 a.m.~~

- Presentations from the Governor's Office of Workforce Development, JobsOhio and the Department of Rehabilitation and Correction

House Health & Aging (Committee Record) (Chr. Gonzales, A., 466-4847), Rm. 116, 9 a.m.

SB MALNUTRITION (Manning, G.) To create the Malnutrition Prevention Commission to study malnutrition **245** among older adults. (1st Hearing-Sponsor)

HB MONTH DESIGNATION (Johnson, T., Huffman, S.) To designate the month of November as "One Health **580** Awareness Month." (1st Hearing-All testimony-Possible vote)

SB LIFE-SUSTAINING TREATMENT (Lehner, P.) To establish procedures for the use of medical orders for **165** life-sustaining treatment and to make changes to the laws governing DNR identification and orders. (1st Hearing-Sponsor)

HB PALLIATIVE CARE (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary **603** Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (1st Hearing-Sponsor)

HB HOSPITAL AFTER-CARE (LaTourette, S.) To provide for the designation of a lay person to provide after-**611** care to a hospital inpatient and participate in discharge planning. (1st Hearing-Sponsor)

SB AWARENESS MONTH (Yuko, K.) To designate September as "Pain Awareness Month." (1st Hearing-**291** Sponsor)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

HB NURSES (Pelanda, D.) To revise the law governing advanced practice registered nurses. (1st Hearing-**216** Sponsor)

HB PRESCRIPTION REFILLS (Sprague, R.) To authorize pharmacists to dispense multiple refills of a **285** prescription simultaneously under certain circumstances. (1st Hearing-Sponsor)

HB AWARENESS DAY (Pelanda, D.) To designate September 26 as "Diffuse Intrinsic Pontine Glioma **411** Awareness Day." (1st Hearing-Sponsor)

HB PALLIATIVE CARE FACILITIES (Schuring, K.) Regarding palliative care facilities. (1st Hearing-**470** Sponsor)

HB AWARENESS DAY (Terhar, L., Johnson, T.) To designate January 31 as 'Omphalocele Awareness Day.' (1st **490** Hearing-Sponsor)

SB OUTPATIENT TREATMENT (Beagle, B.) Regarding minors and outpatient mental health treatment. (4th **42** Hearing-All testimony)

SB PSYCHOTROPIC DRUGS (Seitz, B.) To authorize certain psychologists to prescribe psychotropic and **300** other drugs for the treatment of drug addiction and mental illness. (3rd Hearing-All testimony)

SB HOSPITAL CARE (Lehner, P.) To provide for the designation of a lay person to provide after-care to a **314** hospital inpatient and participate in discharge planning. (3rd Hearing-All testimony)

HB TERMINAL PATIENTS (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient 290 with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician. (2nd Hearing-Proponent)

HB BIOLOGICAL PRODUCTS (Huffman, S., Pelanda, D.) Regarding the regulation of biological products 505 and the substitution of interchangeable biological products when dispensed by pharmacists. (2nd Hearing-Proponent)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 122, 10 a.m.

HB SELF INSURANCE (Schuring, K.) To enable state colleges and universities to establish joint self-insurance 416 pools. (3rd Hearing-All testimony)

HB VISION CARE (Schuring, K.) Regarding limitations imposed by health insurers on vision care services. 275 (3rd Hearing-All testimony)

SB FIREFIGHTER CANCER (Patton, T.) To provide that a firefighter who is disabled as a result of specified 27 types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (2nd Hearing-All testimony-Possible amendment, substitute & vote)

House Public Utilities (Committee Record) (Chr. Dovilla, M., 466-4895), Rm. 121, 10 a.m.

HB RENEWABLE ENERGY (Amstutz, R.) To revise the requirements for renewable energy, energy efficiency 554 savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs. (2nd Hearing-All testimony-Possible substitute)

~~Canceled: **Senate Rules & Reference** (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.~~

Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), North Hearing Rm., 11:15 a.m.

HB VOYEURISM (Anielski, M.) To include an impaired person as a victim of voyeurism and to include 439 conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (1st Hearing-Sponsor)

SB SEXUAL IMPOSITION (Hughes, J.) To increase the penalty for sexual imposition when the offender 316 previously has been convicted of or pleaded guilty to three or more violations of sexual imposition or other specified sex offenses. (1st Hearing-Sponsor)

HB PAROLE ELIGIBILITY (Manning, N.) To provide special parole eligibility dates for persons with an 521 indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. (1st Hearing-Sponsor)

HB DOMESTIC VIOLENCE (Sykes, E., Kuhns, C.) To authorize the issuance of dating violence protection 392 orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order. (1st Hearing-Sponsor)

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 12 p.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

~~Canceled: **Senate Session** (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.~~

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m. or after session

HBFOOD INSPECTIONS (Hill, B.) To require the Director of Agriculture and the Director of Health to adopt **551** rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations. (1st Hearing-Sponsor)

HBFIREARMS (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; **529** to permit such a professional who has received that training or comparable training and who is authorized to carry firearms by the law enforcement agency the professional is serving to carry firearms while on duty in the same manner, to the same extent, in the same areas, and subject to the same potential for civil and criminal liability as a law enforcement officer of the agency; and to grant such a professional, while on duty in that capacity, the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license. (2nd Hearing-Proponent)

SB MILITARY FIREARMS (Uecker, J., Gardner, R.) To specify that an active duty member of the U.S. **199** Armed Forces: (1) does not need a concealed handgun license to carry a handgun concealed if the member is carrying valid military identification and a certificate indicating successful small arms qualification; and (2) may be sold or furnished a handgun if the member has received military or equivalent small arms training. (2nd Hearing-Proponent)

SB DEFERRED COMPENSATION (Hottinger, J.) To authorize the Ohio Public Employees Deferred **220** Compensation Board and local governments to establish designated Roth account features and other tax-deferred or nontax-deferred features permitted for government deferred compensation plans. (1st Hearing-Sponsor)

House Finance: Health & Human Services Sub. (*Committee Record*) (Chr. Sprague, R., 466-3819), Rm. 311, 3 p.m. or after session

SB DRUG REGULATIONS (Eklund, J.) To revise certain laws regarding the regulation of drugs, the practice **319** of pharmacy, and the provision of addiction services. (3rd Hearing-All testimony (Pending referral))

SB INFANT MORTALITY (Jones, S., Tavares, C.) To provide for the implementation of recommendations **332** made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs. (3rd Hearing-All testimony (Pending referral))
Agency Calendar

Board of Building Standards, Division of Industrial Compliance, 6606 Tussing Road, Training Room 3, Reynoldsburg, 9 a.m. (Residential Construction Advisory Committee)

Petroleum Underground Storage Tank Release Compensation Board, Suite 1500, 50 W. Broad St., Columbus, 9 a.m. (The Finance Committee meeting will be followed at 10 a.m. by a full board meeting.)

Casino Control Commission, 1st Fl. Lobby Hearing Rm., 30 E. Broad St., Columbus, 10 a.m.

Rail Development Commission, 1980 West Broad Street, Rm. GA, Columbus, 11 a.m.

Venture Capital Authority, Rm. East B., 31st Fl., 77 S. High St., Columbus, 1 p.m.

Mine Subsidence Insurance Governing Board, 2045 Morse Rd., Building H-2 Conference Room, Columbus, 3 p.m.

Event Planner

No events scheduled.

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House Floor Report

1 message

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HOUSE ACTIVITY REPORT

INTRODUCED AND REFERRED

HCR 38

CANCER CENTER (Conditt, M., Dever, J.)
To express support for the Proton Therapy Center at Cincinnati Children's Hospital and to urge that it be recognized by the National Cancer Institute as a Designated Cancer Center.

PASSED

SB 252

CARDIAC ARREST (Hite, C., Patton, T.)
With regard to sudden cardiac arrest in youth athletic activities.
86-4 (Brinkman, Dean, Hood & Vitale)

HB 533

AWARENESS MONTH (Sprague, R.)
To designate the month of May as "Neurofibromatosis Awareness Month."
91-0

HB 535

MILITARY BENEFITS (Perales, R.)
To extend employment and reemployment protection to a person who is a member of

another state's national guard or organized militia and who is employed in Ohio.

93-0

CALENDAR FOR COMING SESSION

SB 225

AWARENESS DAY (Bacon, K.)

To designate the first day of June as "Hypoparathyroidism Awareness Day."

Thursday, Nov. 17

HB 270

OVERDOSE DEATHS (Dever, J., Pelanda, D.)

To provide that causing the death of another person by an overdose that results from the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to make this provision a strict liability offense.

Thursday, Nov. 17

HB 520

RETIREMENT SYSTEMS (Schuring, K., Ramos, D.)

To revise the law governing the state's public retirement systems.

Thursday, Nov. 17

HOUSE CONCURS IN SENATE AMENDMENTS

HB 300

LICENSE SUSPENSIONS (Baker, N., Manning, N.)

To modify the law governing the termination or modification of a lifetime driver's license suspension or a class two suspension that exceeds fifteen years, to specify that a class one driver's license suspension for a specified aggravated vehicular homicide offense begins upon the offender's release from prison, and to expand the purposes for which limited driving privileges may be granted during a driver's license suspension.

89-0

HOUSE ELECTS MEMBER

WES GOODMAN, REPUBLICAN, 87TH DISTRICT

CANDICE KELLER, REPUBLICAN, 53RD DISTRICT

REFERRED

Armed Services, Veterans Affairs & Public Safety

HB 615

MILITARY LICENSE PLATES (Johnson, G.)
To allow a military veteran license plate to include the names of multiple military operations on one license plate.

Community & Family Advancement

HB 618

RECORD EXPUNGEMENT (Schuring, K., Reece, A.)
To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity.

Financial Institutions, Housing & Urban Development

HB 616

BANKING LAW (Amstutz, R.)
For the purpose of enacting a new banking law for the State of Ohio.

Government Accountability & Oversight

HJR 9

GENERAL OBLIGATION BONDS (Amstutz, R., Curtin, M.)
Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission relative to the issuance of general obligation bonds to pay the costs of facilities for mental health and developmental disabilities, parks and recreation, and housing of agencies of state government.

HJR 10

OBSOLETE BOND PROVISIONS (Amstutz, R., Curtin, M.)
Proposing to enact Section 18 of Article VIII and to repeal Sections 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2j, and 2k of Article VIII of the Constitution of the

State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that obsolete bond-authorizing provisions be eliminated.

HJR 11

SINKING FUND (Amstutz, R., Curtin, M.)
Proposing to amend Section 2 and to repeal Sections 7, 8, 9, 10, and 11 of Article VIII of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission that certain provisions concerning the sinking fund and the Sinking Fund Commission be eliminated.

HJR 12

COURTS OF CONCILIATION (Amstutz, R., Curtin, M.)
Proposing to repeal Sections 19 and 22 of Article IV of the Constitution of the State of Ohio to adopt the recommendation of the Ohio Constitutional Modernization Commission to eliminate the authority of the General Assembly to establish courts of conciliation and to eliminate the authority of the Governor to appoint a supreme court commission.

HB 613

SUNSET REVIEW LAW (Amstutz, R.)
To revise and renew the Sunset Review Law, to require that a Sunset Review Committee be convened to function during each oddnumbered General Assembly, and to declare an emergency.

HB 617

BOARD CONSOLIDATIONS (LaTourette, S.)
To require the Director of Administrative Services to review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of Speech Language Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and

transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation.

Transportation & Infrastructure

HB 614

PORT AUTHORITY MEETINGS (Patterson, J., Perales, R.)

To allow airport and port authorities to conduct meetings by video conference and teleconference.

Ways & Means

HB 612

DISASTER BUSINESS EXEMPTION (Ryan, S.)

To exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster

COMMITTEE HEARINGS

Finance

HJR 5

WATER SEWER BONDS (Lepore-Hagan, M., Smith, K.)

Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund sewer and water capital improvements.

CONTINUED

SB 235

PROPERTY TAXES (Beagle, B., Coley, B.)

To exempt from property tax the increased value

of property on which industrial or commercial development is planned until the completion of new commercial or industrial facilities at the property.

CONTINUED (See separate story)

HB 67**MEDICAL GRANTS (Ramos, D.)**

To create the Frances Lewandowski Memorial Medical Research Fund and the Medical University Research Reserve Fund to provide grants to public medical schools for research on terminal, chronic or currently incurable diseases, to require the General Assembly annually to appropriate for those grants an amount equal to not less than one-tenth of one percent of total prior year General Revenue Fund appropriations, and to make an appropriation.

CONTINUED

HB 492**CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)**

To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation.

CONTINUED

HB 583**COLLECTIVE BARGAINING (Becker, J.)**

To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation.

RE-REFERRED (To Commerce & Labor)

HR 282**HIGHER EDUCATION (Howse, S., Ramos, D.)**

To support efforts to ensure that students from Ohio have access to debt-free higher education at public colleges and universities.

CONTINUED

Insurance

SB 27**FIREFIGHTER CANCER (Patton, T.)**

To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter.

CONTINUED-SUBSTITUTE**HB 275****VISION CARE (Schuring, K.)**

Regarding limitations imposed by health insurers on vision care services.

CONTINUED**HB 416****SELF INSURANCE (Schuring, K.)**

To enable state colleges and universities to establish joint self-insurance pools.

CONTINUED**Finance: Health & Human Services Sub.****SB 319****DRUG REGULATIONS (Eklund, J.)**

To revise certain laws regarding the regulation of drugs, the practice of pharmacy, and the provision of addiction services.

SB 332**INFANT MORTALITY (Jones, S., Tavares, C.)**

To provide for the implementation of recommendations made by the Commission on Infant Mortality and to authorize pharmacists to administer by injection certain prescribed drugs.

State Government**SB 199****MILITARY FIREARMS (Uecker, J., Gardner, R.)**

To specify that an active duty member of the U.S. Armed Forces: (1) does not need a concealed handgun license to carry a handgun concealed if the member is carrying valid military identification and a certificate indicating successful small arms qualification; and (2) may be sold or furnished a handgun if the member has received military or equivalent small arms training.

SB 220**DEFERRED COMPENSATION (Hottinger, J.)**

To authorize the Ohio Public Employees

Deferred Compensation Board and local governments to establish designated Roth account features and other tax-deferred or nontax-deferred features permitted for government deferred compensation plans.

HB 529

FIREARMS (Retherford, W., Hagan, C.)
To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training or comparable training and who is authorized to carry firearms by the law enforcement agency the professional is serving to carry firearms while on duty in the same manner, to the same extent, in the same areas, and subject to the same potential for civil and criminal liability as a law enforcement officer of the agency; and to grant such a professional, while on duty in that capacity, the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license.

HB 551

FOOD INSPECTIONS (Hill, B.)
To require the Director of Agriculture and the Director of Health to adopt rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations.

Public Utilities

HB 554

RENEWABLE ENERGY (Amstutz, R.)
To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs.
SCHEDULED BUT NOT HEARD (See separate story)

Health & Aging

SB 165

LIFE-SUSTAINING TREATMENT (Lehner, P.)
To establish procedures for the use of medical orders for life-sustaining treatment and to make changes to the laws governing DNR

identification and orders.
CONTINUED

SB 245

MALNUTRITION (Manning, G.)
To create the Malnutrition Prevention Commission to study malnutrition among older adults.
CONTINUED

SB 291

AWARENESS MONTH (Yuko, K.)
To designate September as "Pain Awareness Month."
REPORTED

HB 580

MONTH DESIGNATION (Johnson, T., Huffman, S.)
To designate the month of November as "One Health Awareness Month."
REPORTED

HB 603

PALLIATIVE CARE (LaTourette, S.)
To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care.
CONTINUED

HB 611

HOSPITAL AFTER-CARE (LaTourette, S.)
To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning.
CONTINUED

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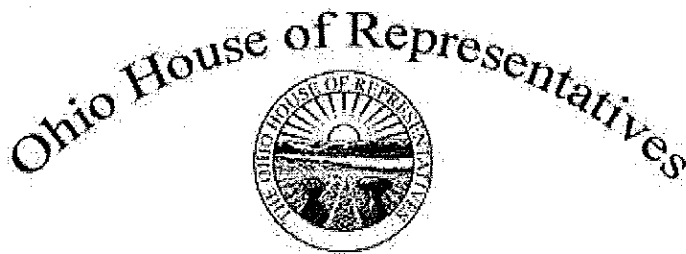
Sarah LaTourette Kayser <latoursm@gmail.com>

MEMORANDUM: 132nd General Assembly Committee Requests

1 message

Cliff.Rosenberger@ohiohouse.gov <Cliff.Rosenberger@ohiohouse.gov>
To: "Cliff.Rosenberger@ohiohouse.gov" <Cliff.Rosenberger@ohiohouse.gov>

Thu, Nov 17, 2016 at 7:33 PM

**Cliff Rosenberger****Speaker, Ohio House of Representatives****Memorandum**

To: All House Republican Members-elect of the 132nd General Assembly
From: Speaker Cliff Rosenberger
Date: November 17, 2016
Re: 132nd General Assembly Committee Requests

In the near future, I will be discussing committee assignments for the 132nd General Assembly with each of you. Through the committees, we will have many important issues to continue to address over the next two years and it will be vital that we best utilize each member's background and expertise in the areas most useful to your district and our caucus.

The number of committees in the Ohio House has varied from one General Assembly to the next. As we proceed through the lame duck session, I will be working with members of the incoming leadership

team and senior staff to reexamine our current committees and whether or not changes should be made from our current structure. While I expect the vast majority of committees to remain the same, it is certainly possible that there may be changes to our existing structure.

On the accompanying page, you will find the current standing committees and subcommittees for the Ohio House. We will be using these committees to guide us through any restructuring of assignments for the 132nd General Assembly. **I would like to ask each of you to submit *in writing* your top five committee requests by 5:00pm on Friday, December 2, 2016** using the existing committees as a reference. Please rank them in order of your preference (with "1" being your most preferred). Additionally, if there is a specific reason why you would have an interest in a particular committee [*e.g. you may be interested in the House Education Committee because you are a retired educator*] it would be very helpful if you would include a brief sentence or two detailing that information.

We will make every effort to match your interests and requests to the specific committees, especially if new committees are developed. It is important that we hit the ground running in January, which is why I would like to begin this process now. Of course, if committees do in fact change, I will be certain to keep you updated on those changes as much as possible.

Please send your requests to Tyler Yapple in my office at Tyler.Yapple@ohiohouse.gov **by 5:00pm on Friday, December 2, 2016**. As always, if you have any questions, please do not hesitate to contact me.

Current Standing Committees of the 131st General Assembly

- Agriculture and Rural Development
- Armed Services, Veterans Affairs, and Public Safety
- Commerce and Labor
- Community and Family Advancement
 - Community and Family Advancement Subcommittee on Minority Affairs
- Economic and Workforce Development
- Education
- Energy and Natural Resources
- Finance
 - Finance Subcommittee on Agriculture, Development, and Natural Resources
 - Finance Subcommittee on Health and Human Services
 - Finance Subcommittee on Higher Education

- Finance Subcommittee on Primary and Secondary Education
- Finance Subcommittee on Transportation
- Financial Institutions, Housing, and Urban Development
- Government Accountability and Oversight
- Health and Aging
- Insurance
- Judiciary
- Local Government
- Public Utilities
- Rules and Reference
- State Government
- Transportation and Infrastructure
- Ways and Means



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469K



Sarah LaTourette Kayser <latoursm@gmail.com>

FW: MEMORANDUM: 132nd General Assembly Committee Requests

1 message

Cliff.Rosenberger@ohiohouse.gov <Cliff.Rosenberger@ohiohouse.gov>
To: "Cliff.Rosenberger@ohiohouse.gov" <Cliff.Rosenberger@ohiohouse.gov>

Mon, Nov 28, 2016 at 10:39 AM

Good morning,

I hope this message finds you all well and having enjoyed a wonderful Thanksgiving with family and friends. Thank you to everyone who has submitted their committee requests already. **This is a friendly reminder to those who still need to submit their committee requests to please do so by close of business this FRIDAY, DECEMBER 2nd.**

Please let me know if you have any questions or concerns.

Best,

Tyler Yaple

Tyler Yaple

Special Assistant to Speaker Clifford A. Rosenberger

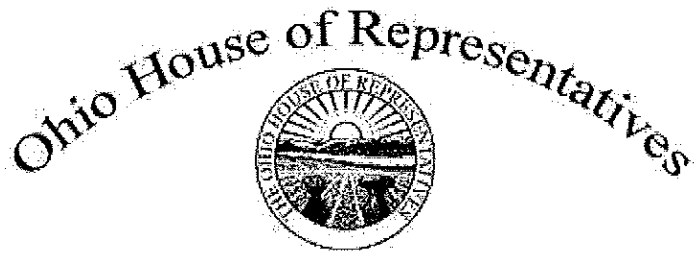
Ohio House of Representatives

77 S. High St. Columbus, OH 43215

14th Floor

(614) 466-7959

From: Yaple, Tyler On Behalf Of Rosenberger, Cliff
Sent: Thursday, November 17, 2016 7:34 PM
To: Rosenberger, Cliff <Cliff.Rosenberger@ohiohouse.gov>
Subject: MEMORANDUM: 132nd General Assembly Committee Requests
Importance: High



Cliff Rosenberger

Speaker, Ohio House of Representatives

Memorandum

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From: Speaker Cliff Rosenberger
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- Education
- Energy and Natural Resources
- Finance
 - Finance Subcommittee on Agriculture, Development, and Natural Resources
 - Finance Subcommittee on Health and Human Services
 - Finance Subcommittee on Higher Education
 - Finance Subcommittee on Primary and Secondary Education
 - Finance Subcommittee on Transportation
- Financial Institutions, Housing, and Urban Development
- Government Accountability and Oversight
- Health and Aging
- Insurance
- Judiciary

7/23/2018

Gmail - FW: MEMORANDUM: 132nd General Assembly Committee Requests

- Local Government
- Public Utilities
- Rules and Reference
- State Government
- Transportation and Infrastructure
- Ways and Means



132ndCommitteeRequests.pdf

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Sarah LaTourette Kayser <latoursm@gmail.com>

Senate Floor Report

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
Reply-To: gongwerreports@gongwer-oh.com
To: Standard_Subscriber_misc_html@gongwer-oh.com

Tue, Nov 29, 2016 at 3:06 PM

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SENATE ACTIVITY REPORT

INTRODUCED

SB 374**UNEMPLOYMENT COMPENSATION (Peterson, B.)**

To increase the taxable wage base under the Unemployment Compensation Law, to temporarily freeze the maximum amount of weekly unemployment benefits a claimant may receive, to revise the amount of dependent unemployment benefits a claimant may receive and to make other changes in Ohio's Unemployment Compensation law.

PASSED

SB 270**PAWNBROKERS (Eklund, J.)**

To make changes to the law relating to pawnbrokers.
33-0 (Amended)

SB 306**DAY DESIGNATION (Yuko, K.)**

To designate July 8 as "Harrison Dillard Day."
33-0 (Earlier REPORTED (No testimony))

SB 322**POLICE TRAINING (Hite, C.)**

To require the Ohio peace officer training commission to develop and conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police.

33-0 (Earlier REPORTED)

SB 337**ROAD NAMING (Hughes, J.)**

To designate a portion of Interstate Route 270 in Franklin County as the "Hilliard Patrol Officer Sean Johnson Memorial Highway."

33-0

SB 347**PRIMARY ELECTIONS (LaRose, F.)**

To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election.

33-0 (Earlier REPORTED-AMENDED)

SENATE CONCURS IN HOUSE AMENDMENTS

SB 252**CARDIAC ARREST (Hite, C., Patton, T.)**

With regard to sudden cardiac arrest in youth athletic activities.

33-0

REFERRED

Criminal Justice

HB 270**OVERDOSE DEATHS (Dever, J., Pelanda, D.)**

To provide that causing the death of another person by an overdose that results from the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to make this provision a strict liability offense.

Government Oversight & Reform

SB 365**LEADS DISCLOSURE (Eklund, J.)**

To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

State & Local Government**HB 520****RETIREMENT SYSTEMS (Schuring, K., Ramos, D.)**

To revise the law governing the state's public retirement systems.

HB 533**AWARENESS MONTH (Sprague, R.)**

To designate the month of May as "Neurofibromatosis Awareness Month."

SB 366**BOARD CONSOLIDATIONS (Seitz, B.)**

To require the Director of Administrative Services to review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of SpeechLanguage Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation.

SB 367

WORKFORCE DEVELOPMENT (Beagle, B.)
To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, and certificates of qualification for employment.

SB 371

COUNTY PROSECUTORS (Thomas, C.)
To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law.

SB 373

ETHICS LAW (Seitz, B.)
To revise the Ethics law.

Transportation, Commerce & Labor

SB 368

ROAD NAMING (Manning, G.)
To designate a portion of U.S. Route 20 in Lorain County as the "U.S. Army Specialist Jason N. Cox Memorial Highway."

SB 369

ROAD NAMING (Patton, T., Manning, G.)
To designate a portion of Interstate Route 90 in Cuyahoga County as the "Patrol Trooper Kenneth Velez Memorial Highway."

SB 370

LICENSE PLATE (Patton, T.)
To create the "University of Notre Dame" license plate.

SB 372

ROAD NAMING (LaRose, F., Patton, T.)
To designate a portion of Interstate Route 77 in Summit County as the "Marine Gunnery Sgt. Robert L. Gilbert II Memorial Highway."

COMMITTEE HEARINGS

Financial Institutions

SB 335

AUTOMATED TELLER MACHINES (Patton, T.)
To regulate non-bank automated teller machines.
CONTINUED

SB 355

LOAN ACT (Peterson, B.)

To create the Ohio Consumer Installment Loan Act.

CONTINUED-SUBSTITUTE

State & Local Government

HB 167

LEGISLATIVE SERVICE COMMISSION (Sweeney, M.)

Regarding the term of a General Assembly member as a member of the Legislative Service Commission.

REPORTED

HB 276

CHIROPRACTORS (Schuring, K.)

To authorize chiropractors to engage in certain activities involving nutrition-related items and therapies, nonprescription drugs, and medical goods and devices.

CONTINUED

HB 423

MILITARY RECORDS (Perales, R.)

To specify that an order for active military service or other documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record.

CONTINUED

HB 440

AWARENESS DAY (Anielski, M.)

To designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss Day."

REPORTED

Education

HB 89

MEDICAID SCHOOL PROGRAM (DeVitis, T.)

Regarding the Medicaid School Program.

HB 410

TRUANCY (Rezabek, J., Hayes, B.)

With regard to habitual and chronic truancy and compulsory school attendance.

SB 126

OPEN ENROLLMENT (Sawyer, T.)

To terminate interdistrict open enrollment on that date with the possibility of renewal following the General Assembly's examination of the study's findings.

Health & Human Services

HB 216**NURSES (Pelanda, D.)**

To revise the law governing advanced practice registered nurses.

HB 285**PRESCRIPTION REFILLS (Sprague, R.)**

To authorize pharmacists to dispense multiple refills of a prescription simultaneously under certain circumstances.

HB 290**TERMINAL PATIENTS (Sprague, R., Anielski, M.)**

To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 470**PALLIATIVE CARE FACILITIES (Schuring, K.)**

Regarding palliative care facilities.

HB 505**BIOLOGICAL PRODUCTS (Huffman, S., Pelanda, D.)**

Regarding the regulation of biological products and the substitution of interchangeable biological products when dispensed by pharmacists.

SB 42**OUTPATIENT TREATMENT (Beagle, B.)**

Regarding minors and outpatient mental health treatment.

SB 314**HOSPITAL CARE (Lehner, P.)**

To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning.

Agriculture

SB 151**DOGS LAW (Beagle, B.)**

To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law.

CONTINUED (No testimony)

SB 224**AGRICULTURE LAWS (Brown, E.)**

To revise the application and enforcement of the law governing operation and management plans, and to require certain animal feeding facilities to annually report the amount of manure that is applied by or for the facilities.
CONTINUED

SB 271**POLICE ANIMALS (Gentile, L.)**

To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency.
CONTINUED

Finance**HB 384****HIGHER EDUCATION AUDITS (Schaffer, T., Duffey, M.)**

To specify that state institutions of higher education may be subject to performance audits conducted by the Auditor of State.

HB 435**STATE FINANCING (McClain, J.)**

To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities.

SB 230**ACADEMIC DISTRESS COMMISSIONS (Schiavoni, J.)**

With regard to the operation of academic distress commissions and to modify the earmarked funding for the establishment of academic distress commissions.

SB 317**BANKING LAWS (Hughes, J., Coley, B.)**

For the purpose of enacting a new banking law for the State of Ohio.

Insurance**HB 279****VEHICLE INSURANCE (Henne, M.)**

To generally prohibit individuals who do not maintain statutory minimum levels of

automobile insurance from collecting noneconomic damages for harm sustained in a motor vehicle accident.

CONTINUED

HB 388

OVI OFFENSES (Scherer, G.)

To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses.

CONTINUED

SB 137

UNIVERSAL HEALTH CARE (Skindell, M., Tavares, C.)

To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

CONTINUED

Energy & Natural Resources

SB 320

RENEWABLE ENERGY (Seitz, B.)

To revise the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit property owners to petition municipal corporations and townships for the purpose of developing and implementing special energy improvement projects, to govern condominium association participation in special improvement districts, to require deployment and permit cost recovery of advanced energy analytics technology by electric distribution utilities, and to revise the law governing net metering service provided by electric utilities and electric services companies.

SB 333

ENVIRONMENTAL LAWS (Hite, C.)

To revise specified laws relating to environmental protection.

Government Oversight & Reform

FIREARMS (Maag, R.)

HB 48

To extend to handguns affirmative defenses to a charge of carrying a concealed weapon or having or transporting a firearm in a motor vehicle, and to modify the prohibition against carrying a concealed handgun onto institutions of higher education, places of worship, day-care facilities, aircraft, certain government facilities, public areas of airport terminals and police stations, and school safety zones.
CONTINUED

HB 347

CIVIL FORFEITURES (McColley, R., Brinkman, T.)
To modify the laws governing criminal and civil asset forfeitures, to revise the procedures upon a writ of execution of goods claimed by a person other than the defendant, and to establish the offense of receiving proceeds of a drug abuse, theft, or human trafficking offense and permit the state to file a civil action against the person who allegedly committed that offense under certain circumstances.
CONTINUED

HB 471

COMMISSION ELIMINATION (Brown, T.)
To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.
CONTINUED

SB 364

LAND CONVEYANCES (Peterson, B.)
To authorize the conveyance of, and the granting of perpetual easements to, state-owned real property.
CONTINUED

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Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Tuesday, November 29, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>

Tue, Nov 29, 2016 at 8:20 PM

To: sml@sarahlatourette.com

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OHIO REPORT TUESDAY, NOVEMBER 29

Unemployment Comp Bill Would Raise Taxable Wage Base, Reduce Benefit Weeks; Critics Say Cuts Too Severe

House Advances Pro-Israel, School Facilities Funding Bills

Senate Moves To End Unnecessary Primaries, Finalizes Youth Cardiac Arrest Measure

Speaker: Amendment Targeting Cities' Minimum Wage Authority Still Under Consideration For Lame Duck

Opponents Ask Senate Panel To Delay Action, Thaw Energy Freeze

Supporters Say Allowing Concealed Firearms On Campus Would Improve Safety

House Rejects Senate Amendment Expanding Controlling Board Oversight

Bill To Reduce Cure Periods For Property Records Gets First House Hearing

Firefighters Continue Push For Cancer Bill

Governor's Appointments

Supplemental Event Planner

Supplemental Agency Calendar

Senate Committee Hearings

Agriculture

Education

Financial Institutions

Government Oversight & Reform

State & Local Government

Insurance

Energy & Natural Resources

Finance

Health & Human Services

House Committee Hearings

Local Government

Insurance

Financial Institutions, Housing & Urban Development

Finance

Agriculture & Rural Development

State Government

Education

Ways & Means

Armed Services, Veterans Affairs & Public Safety

Commerce & Labor

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GONGWER Ohio

The Record of Capitol Square Since 1906

Volume #85, Report #229 -- Tuesday, November 29, 2016

Unemployment Comp Bill Would Raise Taxable Wage Base, Reduce Benefit Weeks; Critics Say Cuts Too Severe

A bill overhauling the state's unemployment compensation system drew criticism Tuesday as it faced its first hearing in the House.

The measure would raise the taxable wage base from \$9,000 to \$11,000 and would change the 26-week limit for benefits to a sliding scale from 20 to 26 weeks based on the state's jobless rate.

The proposal is the result of a process undertaken over the past few months by the Unemployment Compensation Reform Joint Committee to find a way to ensure the system would be solvent through future economic downturns, Rep. Kirk Schuring (R-Canton), the bill's sponsor, told the House Government Accountability and Oversight Committee.

"What I'm trying to do with this is to have a pathway where we can identify the dollar amount it will take to achieve solvency, and then have a fair share that will come from employer contributions and employees," he said.

For employers, the bill would also increase the minimum safe level flat rate by one basis point, Rep. Schuring said.

For employees, it would freeze benefits until the system reaches solvency in eight years, or 10 years if there's a recession, he said. The change in weeks to receive benefits would be on a sliding scale, with 20 weeks if the unemployment rate is 5.5% or below, and 26 weeks if it's 8% or above.

The bill would also require the Unemployment Compensation Advisory Council to meet no later than the end of March, and to meet every quarter thereafter.

"I would point to that process for anything that we are going to consider in the future," he said.

Speaker Cliff Rosenberger (R-Clarksville) said after House session that the goal was to ensure the system remains in the black.

"Our ultimate goal is solvency. We want a bill that gets us to the point of solvency," he said. "We've continued to go on a pathway with interested parties and different leaders to get to the right mix, but at the end of the day not everybody is going to be happy with it."

"I think we have a good bill right now," he added. "We've been in constant communication with the Senate and administration to let them know what we're working on."

In the committee hearing, Rep. Jim Buchy (R-Greenville) asked at what point the system would be considered solvent. Rep. Schuring said the bill requires the state to look at the average of the three highest-spending years out of the past 20 and make sure it has three fourths of that on hand, or nine months of a bad year.

Rep. Kathleen Clyde (D-Kent) said she was concerned about the process lawmakers went through in drafting the bill.

"Do you feel like our worker groups were listened to? Our business leaders?" she asked.

Rep. Schuring said he wanted to make sure there was a conversation about the topic of unemployment reform. The bill was a result of feedback and did not include a number of provisions of a previous unemployment compensation bill (HB 394), including drug testing.

Critics of the bill said it would cut benefits for workers, hurting tens of thousands of unemployed Ohioans. Policy Matters Ohio research director Zach Schiller said the insolvency in the fund comes from employers not contributing enough, not from benefits being too generous.

"Ongoing benefit levels are not the main source for Ohio's weak UC trust fund; inadequate taxes are," he said in a statement. "While we will be studying the bill's fiscal effects more closely, jobless workers should not be targeted as much as employer tax levels."

The increase in the taxable wage base still leaves Ohio well below the national average of more than \$13,500.

"We are glad that legislators have dropped some onerous features of the previous bill, but they should make significant changes in this bill or leave it till next session," Mr. Schiller said.

Ohio AFL-CIO President Tim Burga urged lawmakers not to cut benefits and to increase the contributions made by employers. He said legislators should begin a comprehensive process in the next General Assembly, with labor and business involved from the outset.

"Employers have been short changing the unemployment compensation system for far too long, which is the biggest contributor to the solvency problem," he said in a statement. "Ohio working people deserve a sensible reform package that preserves these modest benefits and does not place any undue burden on the unemployed. Rather, a fair approach can be achieved by making for a solution that keeps the system sound and does not diminish this important safety net."

"To accomplish this we will urge legislators to hit the reset button, and address this vitally important issue in the next General Assembly," he continued. "System reforms should be the result of a collaborative effort between labor, business and the general assembly as it has been historically."

The bill is scheduled for two more hearings this week. A companion bill (SB 374) has been introduced in the Senate.

House Advances Pro-Israel, School Facilities Funding Bills

The House on Tuesday advanced a handful of bills in a lengthy session bookended by full committee agendas.

Among other actions, the chamber approved measures to: require the School Facilities Commission to give districts priority project funding if they've recently transferred, merged or consolidated operations (HB 148), and; prohibit state agencies from contracting with companies boycotting Israel or divesting from the country (HB 476).

Also headed for the Senate are bills to establish a State Seal of Biliteracy to high schools or diplomas of qualifying students (HB 487) and designate the month of November as One Health Awareness Month (HB 580).

A measure amending the law regarding death designation deeds and affidavits (SB 232) was also approved and needs Senate concurrence before heading to the governor's desk.

The OSFC bill would incentivize merged districts to seek construction program money from the state to build new and innovative classrooms as well as partner with universities that offer College Credit Plus, joint sponsor Rep. John Patterson (D-Jefferson) said. The measure advanced with a 74-15 vote.

Under the bill, the commission would determine the state share of project funding based on the lowest percentage of the merged districts. It would also allow OSFC to reduce the share by up to 25% for efficient project features and by another 10% if the new building is on the same land as a state higher education institution.

"If you're going to consolidate, it doesn't make sense not to have new buildings, better buildings more efficiency," Rep. Patterson said. However, districts that are consolidating because of declining enrollment can rarely afford or find community support in the form of a tax increase to construct new campuses.

The measure backing Israel passed 81-13. It stemmed from a trip House leadership took there last year, seeing firsthand the country's economic vitality, sponsoring Rep. Kirk Schuring (R-Canton) said.

"Ohio exports about \$200 million worth of goods to Israel each and every year and we want to grow that. We want to do more and that's the purpose of this legislation," he said.

Rep. Mike Curtin (D-Marble Cliff) said he's supportive of strengthening ties with Israel, but spoke out against the bill because it blacklists businesses that are boycotting the country.

"Boycotts are free speech rights and are protected by the first amendment. It is clear that current federal case law in our country says that economic boycotts are speech," he said. "Moreover, both the U.S. Constitution and the Ohio Constitution that we are pledged to uphold protect freedom of expression as a fundamental liberty."

The House approved an amendment offered by Rep. Schuring that defines boycotting and states clearly that it is not related to first amendment rights.

Members also accepted an amendment from Rep. Robert Sprague (R-Findlay) that increases from 1% to 2% the allowable allocation of foreign bonds in the state treasury's portfolio. Currently, Israel is the only country that meets state investment standards, he said.

The House on Tuesday also voted not to concur on senate amendments to a bill (HB 9) to create the Tax Expenditure Review Commission. (See separate story)

At the start and end of session, farewell speeches were given to recognize departing Rep. Stephanie Kuhns (D-Cleveland), Rep. Denise Driehaus (D-Cincinnati), Rep. Mike Dovilla (R-Berea) and Rep. Terry Boose (R-Norwalk).

Senate Moves To End Unnecessary Primaries, Finalizes Youth Cardiac Arrest Measure

Ohio would not be required to hold primary elections in some cases when they are not needed to determine a winner under legislation that cleared a unanimous Senate on Tuesday.

The measure (SB 347) responds to a situation in which the state held a primary - with only one candidate and one race - tied to a special Congressional election.

Sen. Frank LaRose (R-Copley Twp.) said the election in the 8th Congressional District cost a significant amount of money, even though the outcome was predetermined because only one candidate was certified.

Sen. LaRose said the bill will cut costs tied to election administration, eliminate a significant amount in conducting elections and help minimize concerns with the election systems.

"It's a waste of money, and it also makes voters less confident in the process," he said.

Members also voted unanimously for a measure (SB 322) that requires newly-appointed police chiefs to attend state-developed and conducted training programs within six months of taking office.

Sen. Cliff Hite (R-Findlay) said the bill directs the Ohio Peace Officer Training Commission to develop the training program that would include sections on diversity training.

Sen. John Eklund (R-Chardon) won 33-0 support for separate legislation (SB 270) that makes a series of changes in laws governing pawnbrokers.

He said the bill makes the first significant changes in the law in many years, adding that it updates licensing requirements; increases surety bond requirements; increases the time a customer has to redeem pledged property; establishes "modest" increases in certain fees and requires redemption notices to be sent by mail.

Sen. Eklund said the bill is the product of compromise between several parties, including the pawnbroker industry, law enforcement and others.

Before the vote, the senator added a technical amendment that he said clarifies legislative intent regarding prohibited transactions.

Members also concurred in House amendments to a bill (SB 252) that seeks to minimize sudden cardiac arrest in youth athletics. Sen. Hite said cardiac arrest is the leading cause of death among student-athletes, adding that the bill will save Ohioans' lives.

Members also approved bills:

- Naming a portion of Interstate 270 in Franklin County after Hilliard patrol officer Sean Johnson (SB 337), and;
- Designating July 8 as Harrison Dillard Day (SB 306).

Tuesday also marked the official return of Sen. Kenny Yuko (D-Richmond Heights), who announced earlier in the year he was entering treatment for cancer. The lawmaker said he was thankful for the thoughts and prayers of colleagues as he sought treatment.

Upcoming Session: Sen. President Keith Faber (R-Celina) said it is his goal to wrap the lame duck session by the end of next week.

"I've always said I'll be back Christmas Eve if we need to be, but I'm ready to go home," he said. "Let's get the work done."

He said a new unemployment compensation bill (SB 374) introduced on Tuesday by Sen. Bob Peterson (R-Sabina) is a placeholder. "We're having hearings on it. I anticipate that the House will be the vehicle for that bill ultimately, but you never know."

"There are vested interests," he added. "Some people want to use this for political purposes. Some people don't want to do anything. Some people want to do everything. Some people want to do more. Ultimately, it's about solvency, and making sure the fund balances."

In terms of a change to law regarding a renewable energy freeze, he said the Senate and House have made significant progress.

"I think the House and Senate are largely in tune," he said. "There is one player who is not necessarily there. But, we're going to move forward. The governor gets choices and the legislature gets choices. And I like co-equal branches of government."

The president also said the governor's approach to addressing some board consolidations may be the right way to go, but indicated that it is unlikely that such an action could be finalized yet this session.

He said he's also hopeful the House will move on two of his key proposals: a bill dealing with education deregulation ([SB 331](#)) and a proposal to establish a public official compensation commission ([SJR 1](#)).

He said each of those proposals have been pending in the other chamber for a number of months, and is optimistic that final action can be taken in the coming days.

Speaker: Amendment Targeting Cities' Minimum Wage Authority Still Under Consideration For Lame Duck

A plan backed by some city officials to block local efforts to increase the minimum wage beyond state levels is still in play for lame duck, [Speaker Cliff Rosenberger](#) (R-Clarksville) said after session Tuesday.

The speaker said discussions were ongoing with officials from Cleveland, where citizens have pushed for a minimum wage hike, and Columbus.

There had been speculation that a bill to override local ordinances dealing with pet stores ([SB 331](#)) would be the vehicle for the amendment, and indeed the hearing on that measure early Tuesday was full of interested parties looking for language additions beyond the subject at hand.

Nevertheless, the speaker said no decision had been made on a vehicle although he anticipated there would be some "Christmas tree" bills moving in lame duck.

Interested parties have been discussing statutory language to clarify the statewide interest of minimum wage and block related local ordinances since [Attorney General Mike DeWine](#) issued an [advisory opinion](#) last summer saying such moves were against state law. (See [Gongwer Ohio Report](#), July 1, 2016)

Undaunted, a group backed by the Service Employees International Union subsequently launched a petition drive to place an issue on the ballot in Cleveland that would ramp up the city's minimum wage, starting with \$12 and increasing to \$15 over three years.

City officials who oppose the effort have since been in talks with GOP lawmakers on statutory language to clarify that state law supersedes local ordinances on the subject.

Opponents Ask Senate Panel To Delay Action, Thaw Energy Freeze

Dozens of opponents - some of them frustrated - appealed to a Senate panel to allow the state's renewable energy mandates to kick back in during a marathon hearing Tuesday evening.

Environmental groups, business organizations, and alternative energy companies comprised most of the more than 60 witnesses that gave feedback in person or in writing on the bill ([SB 320](#)) during its fourth hearing before the Senate Energy & Natural Resources Committee. ([Testimony](#))

Chairman [Sen. Troy Balderson](#) (R-Zanesville) limited testimony to two minutes per witness, but they often ran over their allotted time, with one calling the limit "insulting."

Those in the hearing room later cheered and applauded when a witness said expecting utility companies to meet unenforceable goals was akin to lawmakers expecting scores of opponents to keep their testimony to two minutes. And some groaned when [Sen. Bill Seitz](#) (R-Cincinnati) likened government mandates to something that would be favored by recently deceased Cuban leader Fidel Castro.

One by one they pressed lawmakers to let the freeze expire in order to take back up the conversation more in depth during the 132nd General Assembly.

But Sen. Balderson said he wasn't buying the groups' urging to not act on the issue in order to gather more public feedback next year.

"With all due respect we've been discussing this for five years," Sen. Balderson said of the standards. "I just don't understand the idea of putting it off."

Many of the witnesses will likely return to testify before the House Public Utilities Committee, which is set to hear all testimony and possibly vote on a similar bill Wednesday morning. (See [Gongwer Ohio Report, November 17, 2016](#))

The Toledo and Van Wert chambers of commerce were among business groups speaking out against the bill. The local chambers were joined by a host of renewable energy companies - including First Solar, Melink Corporation, Aerotorque Corp., Apex Clean - in urging lawmakers to allow the freeze to end.

"Please don't rush passing legislation," Quasar President Mel Kurtz said. "Encourage thoughtful debate in 2017 to develop an energy policy which benefits consumers, wastewater treatment plants, agriculture, the environment, and grid security by investments in the renewable energy industry."

Sierra Club Ohio Chapter Energy Program Coordinator Kristen Kubitz said 82% of Ohioans want the state to continue requiring utilities to provide efficiency programs, according to a poll from the Ohio Conservative Energy Forum. She added that a September University of Maryland survey found 68% of Ohioans favor a requirement that a portion of their energy come from renewables.

"We can be a leader, investing in clean energy and taking full advantage of the burgeoning economic development opportunities, or we can be left behind," she said. "It is in Ohio's best interest to let the freeze thaw and reinstate the Clean Energy Standards in 2017."

Representatives from the Nature Conservancy and the Environmental Defense Fund, both testifying as interested parties, likewise cautioned lawmakers against rushing to action. Instead, they floated the idea of postponing action until the 2017 General Assembly.

They highlighted a recent report from the EDF and the Nature Conservancy outlining the benefits to reinstating the freeze. Conducted by Greenlink Group and Runnerstone, the report examined the economic benefits in new jobs, and increases in gross domestic product and consumer savings. (See [Gongwer Ohio Report, October 24, 2016](#))

Regarding the goal-based approach, EDF Consultant James O'Bryant said, "Investment is more likely to happen if Ohio has a standard than if we rely on voluntary action."

"Ohio has a choice: become a leader in the clean energy transition or watch as other states take advantage of the benefits of clean energy and efficiency," he added.

Ohio Environmental Council Managing Director of Energy Programs Trish Demeter reiterated her prior House testimony that "sweeping changes" in the bill would fail to account for changes in the energy market.

"It is a freeze extension in our interpretation and not moving to a voluntary goal extension," she said of the bill.

Cuyahoga County Director of Sustainability and former lawmaker Mike Foley said the government has an "obligation to step in" and ensure positive change.

"I know that many in this body do not believe in government mandates into the economy, but I believe climate change is so serious a threat to the current and next generation of humans, that actions that you may find as distasteful now are the only way to ensure minimizing damage in the future," Mr. Foley said.

Cleveland resident Shannon Adams echoed concerns from environmental groups that further postponement could harm air quality. Environmental groups have argued delaying the resumption of the standards or removing

compliance measures would exacerbate asthma attacks, resulting in missed school and work days.

"As a young person, it is critically important to me that we make policy decisions that create economic opportunities and healthier communities for my generation and generations to come," Ms. Adams said. "We have an opportunity in Ohio right now to do just that by reinstating our clean energy standards in 2017 and moving our state forward instead of lagging behind."

Supporters Say Allowing Concealed Firearms On Campus Would Improve Safety

Proponents of a bill that would in part allow colleges and universities to permit the carrying of concealed firearms on campus told a Senate panel Tuesday that it would improve student safety.

The measure (HB 48) would let college and university boards of trustees determine if concealed firearms would be allowed on campus.

Citing Monday's attack at Ohio State University (See Gongwer Ohio Report, November 28, 2016), the bill's supporters told the Senate Government Oversight and Reform Committee that the fact that the campus was gun-free could have made it a target.

"We know that when these attacks are stopped by an armed citizen, there are usually a lot fewer injuries than when we must wait for police officers," said Jonathan Beshears, a law student at OSU. "Why do we insist that students cannot feel safe on campus? Is a college classroom somehow more sacred than a place of worship?"

Mr. Beshears said he believed allowing students to carry firearms would make attackers more fearful.

"There is a strong, quiet majority that understands that police cannot be everywhere at once, and want to be able to keep themselves safe," he said. "Make the knife-wielding maniacs be the ones who have to live in fear."

Sen. Bill Seitz (R-Cincinnati) suggested the bill would also benefit students who park off campus and then walk to campus, as he said was common at the University of Cincinnati.

Mr. Beshears agreed.

"Essentially we're telling people that you have to be defenseless," he said.

Shannon Davis, an OSU student, said she was in a classroom during Monday's attack and realized her pepper spray likely wouldn't help, and none of her classmates were armed to protect against an attacker.

"I have a number of friends who are not going to class today because they are terrified," she said.

Sen. Michael Skindell (D-Lakewood) asked Ms. Davis if there were any areas where she thought concealed carry should not be allowed.

She said in government buildings, which have metal detectors, it could be banned, but in open areas like a full college campus, it doesn't make as much sense.

Jack Hershey, president and CEO of the Ohio Association of Community Colleges, praised the bill for allowing each campus to decide its own policy.

He raised some concerns, including how the policy would work on campuses where a community college and a university are co-located, whether the policy would be subject to collective bargaining, and the reduction of the penalty for knowingly carrying a concealed firearm in an area where it is illegal.

He also said he believed the state should have a conversation about security and police forces on campuses, as many community colleges are not able to afford it.

"I don't think we should ever be in a situation where we want faculty and students to be our first line of defense," he said.

George Lang, a township trustee in West Chester, spoke in favor of provisions allowing more concealed carry in government buildings.

"The state must show a need to restrict a fundamental, constitutional right. There is no evidence that restricting good people from the means to defend themselves in government buildings provides any good for society, and given that almost all active killers select places where guns are prohibited for their crimes, there is a strong argument that such bans are dangerous," he said.

The proposal is slated for a third hearing Wednesday with possible amendments and a vote.

House Rejects Senate Amendment Expanding Controlling Board Oversight

A long-sought bill to create a new tax expenditure review committee is either dead or headed to conference committee after a Senate amendment to increase Controlling Board oversight was declined by the House.

The lower chamber on Tuesday voted 1-94 not to concur on the amendment to the bill (HB 9) that sponsoring Rep. Terry Boose (R-Norwalk) said would likely be vetoed in its updated form.

The amendment, which was proposed by Sen. Bill Coley (R-Liberty Twp.), would prohibit the Department of Administrative Services from making purchases by competitive sealed proposals without prior Controlling Board approval.

The change was made to ensure that purchases are being reviewed by multiple branches of government, he said at the time.

Term-limited Rep. Boose, who has been working on the bill for six years, said the amendment would lead to significantly more items coming before the Controlling Board each year.

"This amendment adds a redundant layer of bureaucracy to a process that is already competitive, all the while slowing the state procurement process, removing efficiencies and requiring approximately 2,000 additional Controlling Board agenda items each year," he said in a floor speech urging his colleagues to vote against concurrence.

"With this amendment in there, the bill is basically dead. It's not going to go anywhere and I think it's too good of a bill to let die. We've worked hard on this bill," Rep. Boose continued.

It was evident when the House didn't bring the measure up for concurrence before summer recess that it would at best be destined for conference committee. (See Gongwer Ohio Report, June 3, 2016)

Sen. Coley said then that he'd like to use that time to refine the amendment and make it better, but not eliminate it.

"We'll work it out in conference committee," he said in an interview Tuesday. "The idea there was to shut down a method by which some could bypass the legislature to do expenditures."

The bill is one of a handful aimed at examining state tax cuts. The concept has been backed by a variety of groups including Policy Matters Ohio and the Buckeye Institute.

Bill To Reduce Cure Periods For Property Records Gets First House Hearing

Sponsors of legislation that establishes a presumption that recorded real property instruments are valid said Tuesday that the law change is needed to bring Ohio in line with other states.

The measure (SB 257) reduces the current cure period from 21 years to just four.

The outdated language in the current law has resulted in "cumbersome transactions and litigation involving Ohio real property instruments," sponsoring Sen. Bill Seitz (R-Cincinnati) told members of the House Judiciary Committee.

"These changes to the language will provide that when a real property instrument has been of record for four years, certain defects will be deemed cured," he said. "This will put Ohio in line with the national average for the cure period of real property which is less than four years."

Under current law, which was approved more than 50 years ago, recorded instruments can be challenged for technical defects, such as the instrument was not properly witnessed.

"This bill creates a balance of reducing hyper-technical attacks on recorded instruments while maintaining certain substantive formalities that serve a valuable purpose," Sen. Seitz said. "SB257 ensures the validity of recorded Ohio real property instruments and reduces unnecessary legal actions that may currently be pursued to invalidate instruments based on purely technical defects."

Fellow sponsoring Sen. Michael Skindell (D-Lakewood) echoed many of the same sentiments and said the legislation will improve productivity at county recorder offices throughout the state.

"Overall, the legislation will provide for efficiencies in real property transactions and conveyances, make our county recorders' offices more productive and potentially reduce any unnecessary litigation," he said.

Mike Sikora, testifying on behalf of the Ohio State Bar Association, told the committee the bill will "modernize Ohio real property law to promote both the validity of recorded documents and the marketability of title."

Current law, he said, "is out of touch with the curative statutes of other states throughout the country, which results in court decisions and handling of transactions that are inconsistent with legal authority throughout the country. The result of this outdated language has been transactions that are more cumbersome than they should be and unwarranted litigation involving Ohio real property instruments, such as deeds and mortgages."

Mr. Sikora also said the Ohio Association of Realtors, NAIOP of Ohio and the Ohio Land Title Association are also supportive of the measure.

"These proposed amendments strike a delicate balance between reducing hyper-technical attacks on recorded instruments while maintaining certain substantive formalities that serve a valuable purpose under Ohio law," he said. "Under the improved Curative Statute, when a real property instrument has been of record for four years, certain defects will be deemed cured. This will put Ohio in line with the national average for the cure period of real property instruments, which is less than four years."

Firefighters Continue Push For Cancer Bill

Firefighters on Tuesday continued their push for legislation that would provide firefighters disabled by cancer the presumption that the disease was incurred through his or her work duties.

The leaders of two professional associations told members of the House Insurance Committee that their membership deserves the protections provided by the bill (SB 27).

"As firefighters, we are on the front lines of saving lives and as a result we are putting our own lives at risk by being exposed to high levels of toxic chemicals," Jeff Klein, president of the Ohio Fire Chiefs' Association, told the panel.

Mr. Klein, who is the chief of the Perrysburg Fire Department, said studies have found a correlation between firefighting and an increased risk of cancer.

One, conducted by the National Institute for Occupation Safety and Health in 2013, found that firefighters have a 14% greater risk of dying of cancer than members of the general population, he said.

Mark Resanovich, president of the Ohio State Firefighters Association, told the group that in 2014 he was diagnosed with a non-curable form of cancer.

His association, he said, represents about 19,000 volunteer firefighters across the state.

"We give our time and talents to our communities, answering calls for help and assistance. For many of us, we do this with no compensation," he said.

Chairman Rep. Tom Brinkman (R-Cincinnati) asked how many of the members are not compensated for their service.

Mr. Resanovich said volunteer firefighters are a combination of part-time employees who are paid, some who are compensated per call and some who simply volunteer their time.

"We have a lot of firefighters that are true volunteers," he said.

Rep. Brinkman then questioned whether those that are non-compensated volunteers pay into the workers' compensation system.

According to Mr. Resanovich, those volunteers are considered employees of the political subdivision in which they work. The political subdivisions, he said, pay into the BWC.

Rep. Michael Henne (R-Clayton) questioned the impact exempting volunteer firefighters would have on communities that rely on fire departments largely made up of those willing to serve for little or nothing.

Rep. Resanovich said it would be a hard sell among his membership.

"They are donating their time, their talents, their efforts to their communities," he said, before adding, "Cancer don't discriminate."

The measure cleared the upper chamber in April in a 32-1 vote. (See Gongwer Ohio Report, April 13, 2016)

Governor's Appointments

Miami University Board of Trustees: Sandra Drabik Collins of Toledo (Lucas Co.) for a term beginning Nov. 29 and ending Feb. 28, 2025.

Supplemental Event Planner

Friday, December 2

Ohio Republican State Central Committee meeting, Sheraton Hotel, 75 E. State St., Columbus, 10 a.m.

Supplemental Agency Calendar


Thursday, December 1

Elections Commission, 77 S. High St., 31st Floor East B, Columbus, 10 a.m.

17 S. High St., Suite 630
Columbus Ohio 43215

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violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling. (5th Hearing-All testimony-Possible vote)

SB CASINO OPERATORS (Seitz, B.) To specify that the criminal penalty related to casino operators and 265 employees participating in casino gaming applies at their casino facility or an affiliated casino facility. (5th Hearing-All testimony-Possible amendments & vote)

HB IMPORTUNING (Schaffer, T., Smith, K.) To amend the penalties for the offense of importuning. (3rd 405 Hearing-All testimony-Possible amendments & vote)

HB ARSON (Koehler, K.) To eliminate lack of the property owner's consent as an element of arson when the 185 property is abandoned real property and to make the consent of the owner of abandoned real property an affirmative defense. (4th Hearing-All testimony-Possible amendments & vote)

HB PAROLE ELIGIBILITY (Manning, N.) To provide special parole eligibility dates for persons with an 521 indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing. (2nd Hearing-All testimony-Possible amendments & vote)

HB VOYEURISM (Anielski, M.) To include an impaired person as a victim of voyeurism and to include 439 conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)

SB SEXUAL IMPOSITION (Hughes, J.) To increase the penalty for sexual imposition when the offender 316 previously has been convicted of or pleaded guilty to three or more violations of sexual imposition or other specified sex offenses. (2nd Hearing-Proponent)

~~Canceled: **House Session** (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.~~

- If needed

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

House State Government (Committee Record) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m.

HB STEEL USE (Boccieri, J., Ramos, D.) To require the use of domestic steel in construction, repair, or 558 improvement projects involving certain buildings used by public schools, state institutions of higher education, and specified private colleges. (1st Hearing-Sponsor)

SB ATTORNEY GENERAL (Bacon, K.) To make various changes to the laws governing the duties and 227 functions of the Attorney General. (2nd Hearing-Opponent-Possible amendment & vote)

HB LAME DUCK SESSIONS (Boose, T.) To prohibit the General Assembly from holding sessions after the 577 general election in an even-numbered year. (1st Hearing-Sponsor)

HJR BANKING FUNCTIONS (Sheehy, M., Ramos, D.) To urge the United States Congress and the President 7 of the United States to enact legislation that would reinstate the separation of commercial and investment banking function that was in effect under the Glass-Steagall Act. (1st Hearing-Sponsor)

HR TRAIN CREWS (Sheehy, M., Lepore-Hagan, M.) To support the Federal Railroad Administration's 383 proposed rule requiring trains operated in the United State to have at least a two-person crew. (1st Hearing-Sponsor)

HB SAFETY BELTS (Phillips, D.) To require all passengers in automobiles to wear safety belts. (1st Hearing-331 Sponsor)

HR CORPORATE BOARDS (Johnson, G., Boggs, K.) To urge equitable and diverse gender representation 344 on the corporate boards of directors of companies based in Ohio. (1st Hearing-Sponsor)

HB FIREARMS (Antonio, N., Boyd, J.) To require a court that issues a protection order to determine if the 494 respondent is prohibited from carrying or possessing a firearm, to require a court to determine whether an offender who has been convicted of specified offenses is prohibited from carrying or possessing a firearm, and to require a respondent or offender who the court determines is prohibited from carrying or possessing a firearm to transfer all firearms in the person's possession to a law enforcement agency or a federally licensed firearms dealer. (1st Hearing-Sponsor)

HB DAY DESIGNATION (Ramos, D.) To declare November 23rd as Fleet Admiral Ernest Joseph King Day.

Relations Board; Ross McGregor, State Personnel Board of Review; Scott Murray, Board of Motor Vehicle Repair; Thomas Needles, Motor Vehicle Dealers Board; Gary Siciliano, Motor Vehicle Salvage Dealers Licensing Board and George Snyder, State Board of Emergency Medical, Fire, and Transportation Services

HBTRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise **341**the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (2nd Hearing-Opponent & interested party)

HBREAL ESTATE SALES (Smith, R.) Relating to real estate brokers and salespersons. (2nd Hearing-All **532**testimony-Possible amendments & vote)

SB LICENSE PLATE (Jones, S.) To create the Conquer Childhood Cancer license plate. (1st Hearing-Sponsor) **345**

SB LICENSE PLATE (Thomas, C.) To create the "Triple Negative Breast Cancer Awareness" license plate. **361**(1st Hearing-Sponsor)

SB LICENCE PLATE (Oelslager, S.) To create the "Buckeye Corvette" license plate. (1st Hearing-Sponsor) **363**

HB DUI SENTENCES (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a **436**second-time OVI offender to order the termination of the mandatory immobilization order. (1st Hearing-Sponsor)

HBBOARDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or **455**township to establish a boarding school zone and a special speed limit within that zone. (2nd Hearing-All testimony)

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Senate Criminal Justice (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 11:15 a.m.

- Confirmation hearing on governor's appointments of Larry Mincks, Sr. and Christopher Viland, Ohio Organized Crime Investigations Commission and Kimberley Jacobs, Vernon Stanforth and Reginald Wilkinson, Ed.D, Ohio Peace Officer Training Commission and Carol O'Brien, Ohio Organized Crime Investigations Commission

HBCRIMINAL RECORDS (Barnes, J.) To enact the Fair and Accurate Reporting of Criminal Records Law, to **172**require certain business entities that publish criminal record information to ensure that the information is complete and accurate, to provide a procedure by which a subject of published criminal record information may have incomplete or inaccurate information corrected or removed from the publication, and to provide remedies for the failure of a business entity to remove or correct incomplete or inaccurate information. (1st Hearing-Sponsor)

SB DRUG VOLUME (LaRose, F.) To provide that five milligrams or more of fentanyl or an amount equal to or **237**exceeding one gram of a compound, mixture, preparation, or substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamphetamine to the list of schedule II controlled substances. (5th Hearing-All testimony-Possible amendments & vote)

SB DEATH SENTENCES (Seitz, B., Williams, S.) To provide that a person convicted of aggravated murder **162**who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (7th Hearing-All testimony-Possible amendments & vote)

SB SEXUAL CONDUCT (Hughes, J., Hottinger, J.) To prohibit a person from engaging in sexual conduct with **195**an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a

206entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those statements available online. (2nd Hearing-Proponent)

SB CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act. **273**(3rd Hearing-Opponent)

SB SUNSET REVIEW (Jordan, K., Faber, K.) To require standing committees of the General Assembly to **329**establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet. (3rd Hearing-Opponent)

HBVOTER REGISTRATION (Clyde, K.) To require that eligible persons in certain government and school **181**databases be automatically registered to vote or have their registrations updated automatically unless those persons decline to do so and to create an online voter registration. (1st Hearing-Sponsor)

HBABSENTEE BALLOTS (Clyde, K.) To eliminate the requirement that absent voter's ballots received during **309**the ten days after the day of an election contain a postmark and to specify circumstances under which those ballots must not be counted. (1st Hearing-Sponsor)

HBVOTER REGISTRATION (Clyde, K.) To modify the circumstances under which a voter registration may **402**be canceled. (1st Hearing-Sponsor)

HSUNSET REVIEW LAW (Amstutz, R.) To revise and renew the Sunset Review Law, to require that a **613**Sunset Review Committee be convened to function during each oddnumbered General Assembly, and to declare an emergency. (2nd Hearing-Testimony TBD-Possible substitute)

HBBOARD CONSOLIDATIONS (LaTourette, S.) To require the Director of Administrative Services to **617**review referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of Speech Language Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation. (1st Hearing-Sponsor)

HBSTATE PROPERTY CONVEYANCES (Rezabek, J.) To authorize the conveyance of, and the granting of **619**perpetual easements to, state-owned real property. (2nd Hearing-All testimony-Pending referral)

HBUNEMPLOYMENT COMPENSATION (Schuring, K.) To increase the taxable wage base under the **620**Unemployment Compensation Law, to temporarily freeze the maximum amount of weekly unemployment benefits a claimant may receive, to revise the amount of dependent unemployment benefits a claimant may receive and to make other changes in Ohio's Unemployment Compensation law. (1st Hearing-Proponent)

Senate Financial Institutions (Committee Record) (Chr. Hughes, J., 466-5981), Finance Hearing Rm., 10 a.m.

SB LOAN ACT (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (2nd Hearing-All **355** testimony-Possible amendments)

Senate Transportation, Commerce & Labor (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 10:15 a.m.

- Ferzan Ahmed, State Board of Registration for Professional Engineers and Surveyors; Andrew Bainbridge, JD, Ski Tramway Board; Kristine Burdick and Rowland Giller, III, Ohio Real Estate Commission; James Gasior and Michael Peterson, Ohio Turnpike and Infrastructure Commission; Stephanie Green, Janet Orosz and Richard Zaleski, Ohio Fair Plan Underwriting Association Board of Governors; W. Craig Zimpher, State Employment Relations Board; Bill Dingus, Chris Kershner and Christopher Powell, Transportation Review Advisory Council; J. Richard Lumpe, State Employment

HBPORT AUTHORITIES (Conditt, M.) To authorize port authorities to create energy special improvement districts for the purpose of developing and implementing plans for special energy improvement projects and to alter the law governing such districts that are governed by a nonprofit corporation. (5th Hearing-Possible substitute)

HBRENEWABLE ENERGY (Amstutz, R.) To revise the requirements for renewable energy, energy efficiency savings, and peak demand reduction and to revise provisions governing which customers can opt out of related programs. (3rd Hearing-All testimony-Possible amendments & vote)

Senate Health & Human Services (Committee Record) (Chr. Jones, S., 466-9737), North Hearing Rm., 9 a.m.

HBNURSES (Pelanda, D.) To revise the law governing advanced practice registered nurses. (3rd Hearing-216 Opponent & interested party)

HBPRESCRIPTION REFILLS (Sprague, R.) To authorize pharmacists to dispense multiple refills of a prescription simultaneously under certain circumstances. (3rd Hearing-Opponent & interested party)

HBPALLIATIVE CARE FACILITIES (Schuring, K.) Regarding palliative care facilities. (3rd Hearing-470 Opponent & interested party)

SB OUTPATIENT TREATMENT (Beagle, B.) Regarding minors and outpatient mental health treatment. (6th 42 Hearing-Opponent & interested party)

SB HOSPITAL CARE (Lehner, P.) To provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning. (5th Hearing-Opponent & interested party)

HBTERMINAL PATIENTS (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician. (4th Hearing-Opponent & interested party)

HB BIOLOGICAL PRODUCTS (Huffman, S., Pelanda, D.) Regarding the regulation of biological products and the substitution of interchangeable biological products when dispensed by pharmacists. (4th Hearing-Opponent & interested party)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing Rm., 9:30 a.m.

- 1st Hearing-Sponsor & proponent on bill from Sen. Peterson

HB TIF CREATION (Butler, J., Burkley, T.) To establish a procedure by which political subdivisions proposing a tax increment financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before creating the district, and to permit such owners, under specific conditions, to exclude their parcels from the incentive district by submitting a written response. (1st Hearing-Sponsor)

SB EARNED INCOME TAX CREDIT (Skindell, M.) To remove the income restriction on the earned income tax credit and to make the credit refundable beginning in 2015. (1st Hearing-Sponsor)

HBLINKED DEPOSITS (Schuring, K.) To create the business linked deposit program, to permit credit unions to participate in that program, to permit credit unions to participate in the agricultural linked deposit program, and to make other changes to the linked deposit law. (2nd Hearing-Proponent)

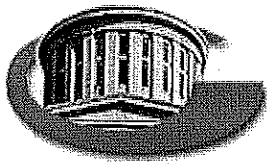
SB TAX PAYMENTS (Eklund, J.) To revise the law governing how taxes on income from pass-through entities is to be reported and paid by the entities and their investors. (4th Hearing-All testimony-Possible amendments & vote)

SB AGRICULTURAL LAND (Hite, C.) To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (5th Hearing-All testimony-Possible amendments & vote)

SB PROPERTY TAXES (Schiavoni, J., Gentile, L.) To exempt from property taxation the primary residence of military veterans who are disabled. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 018, 10 a.m.

SB CAMPAIGN FINANCE REPORTS (LaRose, F.) To require certain campaign committees and other



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Legislative Committees

Senate Government Oversight & Reform (*Committee Record*) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 8:45 a.m.

7 **SCRREBEL FLAG** (Tavares, C., Thomas, C.) To urge the powers of the governments that continue to make issuances containing the rebel flag to discontinue this practice, to urge the powers of the governments that fly the rebel flag or any flag containing imagery of the rebel flag on public property to remove those flags in question, to urge the powers of governments that have official state flags that contain imagery derived from the rebel flag to commence in the process of redesigning the official state flag immediately, to urge South Carolina's General Assembly to direct removal of the rebel flag from state property, and to urge Ohio retailers to remove from inventory any rebel flag merchandise. (1st Hearing-Sponsor)

2 **SJR CONGRESSIONAL REDISTRICTING** (LaRose, E., Sawyer, T.) Proposing to enact Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Article XIX of the Constitution of the State of Ohio to revise the redistricting process for congressional districts. (1st Hearing-Sponsor)

336 **SB USED TIRES** (Hite, C., LaRose, E.) To prohibit the installation of unsafe used tires on certain motor vehicles. (1st Hearing-Sponsor)

471 **HB COMMISSION ELIMINATION** (Brown, T.) To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force. (2nd Hearing-All testimony-Possible amendments & vote)

364 **SB LAND CONVEYANCES** (Peterson, B.) To authorize the conveyance of, and the granting of perpetual easements to, state-owned real property. (2nd Hearing-All testimony-Possible amendments & vote)

325 **HB DRUG ADDICTION TREATMENT** (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment. (3rd Hearing-All testimony-Possible amendments & vote)

347 **HB CIVIL FORFEITURES** (McColley, R., Brinkman, T.) To modify the laws governing criminal and civil asset forfeitures, to revise the procedures upon a writ of execution of goods claimed by a person other than the defendant, and to establish the offense of receiving proceeds of a drug abuse, theft, or human trafficking offense and permit the state to file a civil action against the person who allegedly committed that offense under certain circumstances. (3rd Hearing-All testimony-Possible amendments & vote)

48 **HB FIREARMS** (Maag, R.) To extend to handguns affirmative defenses to a charge of carrying a concealed weapon or having or transporting a firearm in a motor vehicle, and to modify the prohibition against carrying a concealed handgun onto institutions of higher education, places of worship, day-care facilities, aircraft, certain government facilities, public areas of airport terminals and police stations, and school safety zones. (3rd Hearing-All testimony-Possible amendments & vote)

House Public Utilities (*Committee Record*) (Chr. Dovilla, M., 466-4895), Rm. 121, 9 a.m.

525 **HB911 CALLS** (Johnson, G.) To require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit or code. (1st Hearing-Sponsor)

589 **HB UTILITY RESELLING** (Duffey, M.) To permit the Public Utilities Commission to adopt rules governing residential utility reselling. (1st Hearing-Sponsor)

324 (1st Hearing-Sponsor)

HB NUTRITION PROGRAMS (Ramos, D., Howse, S.) To require the Director of Job and Family Services
381 to request a federal waiver of time limits for certain Supplemental Nutrition Assistance Program recipients.
 (1st Hearing-Sponsor)

HB REPLICA VEHICLE TITLES (Patterson, J.) To provide that when a certificate of title is issued for a
332 motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle.
 (1st Hearing-Sponsor)

HB EQUAL PAY CERTIFICATE (Howse, S., Clyde, K.) To require a contractor or person submitting a bid
330 or other proposal for a state contract or a business entity applying for a grant or other economic incentive
 from a state agency to obtain an equal pay certificate, to require state agencies and political subdivisions to
 establish a job evaluation system to identify and eliminate sex-based wage disparities among classes of
 employees, and to prohibit an employer from retaliating against an employee who discusses the employee's
 salary or wage rate with another employee. (1st Hearing-Sponsor)

HB DAY DESIGNATION (Clyde, K.) To designate the fourth Tuesday of September as Ohio Voter
337 Registration Day. (1st Hearing-Sponsor)

HR EQUAL PAY DAY (Fedor, T.) To recognize April 14, 2015, as Equal Pay Day to encourage public
56 awareness of the gender wage gap. (1st Hearing-Sponsor)

HB DAY DESIGNATION (Howse, S., Boyd, J.) To designate February 23 as Louis Stokes Day. (1st Hearing-
329 Sponsor)

HB LSC DUTIES (Howse, S.) To require the Director of the Legislative Service Commission to prepare a
519 human impact statement concerning a bill or resolution that proposes to amend the law governing criminal
 justice. (1st Hearing-Sponsor)

HCRDAY DESIGNATION (Howse, S.) To designate June 15, 2015, as Karamu House Day. (1st Hearing-
23 Sponsor)

Senate Civil Justice (Committee Record) (Chr. Bacon, K., 466-8064), Finance Hearing Rm., 2:30 p.m. or after session

HBCHILD ABUSE REPORTING (Sears, B., Ryan, S.) To make changes in the child abuse and neglect
493 reporting law. (2nd Hearing-Proponent & opponent)

SB EMPLOYMENT LAW (Seitz, B.) To modify Ohio civil rights laws related to employment and the statute
268 of limitations for other specified claims against an employer. (3rd Hearing-Proponent & opponent-Possible
 amendments & vote)

HBCCW LICENSES (Terhar, L.) To waive the concealed carry license fee for active members of the armed
235 forces and retired and honorably discharged veterans and to accept military experience with firearms as
 proof of competency with firearms regardless of when the applicant for a license acquired the experience.
 (4th Hearing-Proponent & opponent-Possible amendments & vote)

HBMORTGAGE FORECLOSURES (Dever, J.) To establish expedited actions to foreclose mortgages on
463 vacant and abandoned residential properties, to permit private selling officers to conduct judicial and
 execution sales of real property, to state the intent of the General Assembly regarding mortgage foreclosure
 actions, to revise the Commercial Paper Law relating to mortgages and lost instruments, and to make other
 changes relative to foreclosure actions. (2nd Hearing-Proponent & opponent-Possible amendments)

HBCHILD ABUSE REPORTING (Pelanda, D., Grossman, C.) To require mandatory reporters of child abuse
63 or neglect to notify the county public children services agency when an attorney in fact under a document
 that purports to grant parental rights requests services from them, to require the agency to investigate the
 child's placement with the attorney in fact, and to require the agency to file a dependency complaint if it
 determines that the placement is unsafe for the child. (2nd Hearing-Proponent & opponent)

HBESTATE LAW (Cupp, R., Rezabek, J.) To revise the law governing decedent's estates by making changes in
432 the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act,
 and the Uniform Simultaneous Death Act. (2nd Hearing-Proponent & opponent-Possible amendment &
 vote)

SB DIGITAL ASSETS (Oelslager, S.) To adopt the Revised Uniform Fiduciary Access to Digital Assets Act.
358 (2nd Hearing-Proponent & opponent)

HBPROTECTION ORDERS (Boose, T.) To provide that an individual's statutory priority to decide whether or
451 not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual

is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Proponent & opponent-Possible vote)

SB PREGNANCY ACCOMMODATIONS (Jones, S., Cafaro, C.) To enact the "Pregnancy Reasonable **301** Accommodation Act" to generally require employers to make reasonable accommodations for employees who are pregnant or breastfeeding. (4th Hearing-Proponent & opponent-Possible amendments)

Senate Agriculture (Committee Record) (Chr. Hite, C., 466-8150), South Hearing Rm., 4:30 p.m.

HBALCOHOL SAMPLES (Blessing, L.) To allow certain D liquor permit holders to provide free tasting **444** samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

SB DOGS LAW (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious **151** dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (5th Hearing-Possible vote)

SB POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse **271** for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. (2nd Hearing-All testimony-Possible vote)

Agency Calendar

Aerospace & Aviation Technology Committee, Rm. 122, Statehouse, Columbus, 9:30 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

No events scheduled.

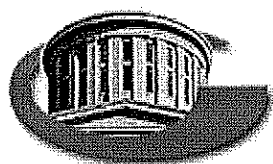
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GONGWER Ohio
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Senate Activity for Tuesday, November 29, 2016

INTRODUCED

SB UNEMPLOYMENT COMPENSATION (Peterson, B.) To increase the taxable wage base under the 374 Unemployment Compensation Law, to temporarily freeze the maximum amount of weekly unemployment benefits a claimant may receive, to revise the amount of dependent unemployment benefits a claimant may receive and to make other changes in Ohio's Unemployment Compensation law.

Gongwer Coverage

PASSED

SB PAWNBROKERS (Eklund, J.) To make changes to the law relating to pawnbrokers.

270

33-0 (Amended)

Gongwer Coverage

SB DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day."

306

33-0 (Earlier REPORTED (No testimony))

Gongwer Coverage

SB POLICE TRAINING (Hite, C.) To require the Ohio peace officer training commission to develop and 322 conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police.

33-0 (Earlier REPORTED)

Gongwer Coverage

SB ROAD NAMING (Hughes, J.) To designate a portion of Interstate Route 270 in Franklin County as the 337 "Hilliard Patrol Officer Sean Johnson Memorial Highway."

33-0

Gongwer Coverage

SB PRIMARY ELECTIONS (LaRose, F.) To expand the circumstances under which a board of elections or 347 the secretary of state is not required to hold a primary election.

33-0 (Earlier REPORTED-AMENDED)

Gongwer Coverage

SENATE CONCURS IN HOUSE AMENDMENTS

SB 252 CARDIAC ARREST (Hite, C., Patton, T.) With regard to sudden cardiac arrest in youth athletic activities.

33-0

Gongwer Coverage

REFERRED

Criminal Justice:

HBOVERDOSE DEATHS (Dever, J., Pelanda, D.) To provide that causing the death of another person by an **270** overdose that results from the offender's sale, distribution, dispensation, or administration of a controlled substance or controlled substance analog is a violation of the offense of involuntary manslaughter and to make this provision a strict liability offense.

Government Oversight & Reform:

SB LEADS DISCLOSURE (Eklund, J.) To allow disclosure of information from the law enforcement **365** automated data system (LEADS) to a defendant in a traffic or criminal case.

State & Local Government:

HBRETIREMENT SYSTEMS (Schuring, K., Ramos, D.) To revise the law governing the state's public **520** retirement systems.

HB AWARENESS MONTH (Sprague, R.) To designate the month of May as "Neurofibromatosis Awareness **533** Month."

SB BOARD CONSOLIDATIONS (Seitz, B.) To require the Director of Administrative Services to review **366** referred agency actions and determine whether they are consistent with state and federal antitrust law; to create the State Vision and Hearing Professionals Board, the State Behavioral Health Professionals Board, and the State Physical Health Services Board; to abolish the State Board of Optometry, the Ohio Optical Dispensers Board, the Hearing Aid Dealers and Fitters Licensing Board, and the Board of Speech Language Pathology and Audiology and transfer those boards' duties to the State Vision and Hearing Professionals Board; to abolish the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology and transfer those boards' duties to the State Behavioral Health Professionals Board; to abolish the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the State Board of Orthotics, Prosthetics, and Pedorthics and transfer those boards' duties to the State Physical Health Services Board; to abolish the Ohio Board of Dietetics and transfer its duties to the State Medical Board; to abolish the Ohio Respiratory Care Board and transfer its duties to the State Board of Pharmacy and the State Medical Board; to make other changes regarding licensing and regulating certain health professionals; and to make an appropriation.

SB WORKFORCE DEVELOPMENT (Beagle, B.) To revise the laws governing the state's workforce

367 development system, programs that may be offered by primary and secondary schools, and certificates of qualification for employment.

SB COUNTY PROSECUTORS (Thomas, C.) To prohibit prosecuting attorneys of counties with a population **371** of 400,001 or more from engaging in the private practice of law.

SB ETHICS LAW (Seitz, B.) To revise the Ethics law.

373

Transportation, Commerce & Labor:

SB ROAD NAMING (Manning, G.) To designate a portion of U.S. Route 20 in Lorain County as the "U.S. **368** Army Specialist Jason N. Cox Memorial Highway."

SB ROAD NAMING (Patton, T., Manning, G.) To designate a portion of Interstate Route 90 in Cuyahoga **369** County as the "Patrol Trooper Kenneth Velez Memorial Highway."

SB LICENSE PLATE (Patton, T.) To create the "University of Notre Dame" license plate.

370

SB ROAD NAMING (LaRose, F., Patton, T.) To designate a portion of Interstate Route 77 in Summit County **372** as the "Marine Gunnery Sgt. Robert L. Gilbert II Memorial Highway."

COMMITTEE HEARINGS

Agriculture

SB DOGS LAW (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious **151** dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (**CONTINUED (No testimony); 4th Hearing-Opponent**)

SB AGRICULTURE LAWS (Brown, E.) To revise the application and enforcement of the law governing **224** operation and management plans, and to require certain animal feeding facilities to annually report the amount of manure that is applied by or for the facilities. (**CONTINUED; 1st Hearing-Sponsor**)

Sponsor Brown said her bill builds on last year's passage of SB1 in an effort to further mitigate nutrient runoff from agricultural lands and animal feeding lots that contributes to toxic algal blooms in Lake Erie and all other bodies of water. She said the bill addresses the concern of manure application in three specific ways.

First, Sen. Brown said the bill directs owners or operators of animal feeding facilities to file annual reports with the Department of Agriculture to specify a total amount of manure applied, the amount sold or transferred to be applied to other fields along with the location of manure applications. Second, she said the bill requires livestock producers without a state permit and farmers with more than 50 acres to develop plans to prevent agricultural pollution by following proper agronomic rates and third, mandating, rather than continuing permissive language, of the use of civil penalties for violations.

Sen. Brown warned that some might think her bill is similar in nature to the one previously passed early last year. She noted the original bill rightly addresses the time of application of nutrients while her bill continues to attack the problem by addressing the rate of application. "The General Assembly still has work to do to prevent future water crises," she declared.

Sen. Gardner, the lead sponsor of SB1 that generally requires applicators of fertilizer or manure to comply with specified requirements, praised Sen. Brown's input in the finalization of that legislation. He allowed the new legislation offers some additional options to consider assuring her continued discussions in the area will be a high priority during the next legislative session.

SB POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse **271** for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency. **(CONTINUED; 1st Hearing-Sponsor)**

Sen. Gentile, in presenting the bill, explained it bill clarifies a process by which a retiring law enforcement officer can purchase, at fair market value, his or her assigned canine unit subject to approval of the appropriate police department, sheriff's office or department of public safety. He said the bill strikes a balance between the needs of the officer, the canine and the department or jurisdiction being serviced while respecting the public's significant investment in a canine officer.

The bill was brought forward following news stories when Marietta Police Officer Matt Hickey and handler of is K-9 unit Ajax attempted to purchase his canine unit upon his retirement. It was determined that Ajax was still useful and as such was treated like other public property no longer determined as needed - going to public auction. Sen. Gentile said Ohio law is not clear when a police officer retires but his or her canine partner is still able to serve as in the case of Officer Hickey and Ajax.

Governor's Appointments: The Committee unanimously approved for full Senate consideration a number of gubernatorial appointments, including S. Craig Brown to the Ohio Thoroughbred Race Fund Advisory Council; Kelly Cole to the Southern Ohio Agricultural and Community Development Foundation; Cy Prettyman to the Ohio Livestock Care Standards Board; and Michael Frazier and Gregory Levens to the Dangerous and Restricted Animals Advisory Board.

Education

HB TRUANCY (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school **410** attendance. **(CONTINUED; 5th Hearing-All testimony-Possible amendments & vote)**

Without a quorum, the committee was unable to vote on a handful of amendments that are expected to become part of the measure when it next comes up for a vote on Dec. 6.

Witnesses representing school districts and juvenile courts said they're supportive of the proposal to eliminate suspension as a punishment for skipping class, but raised concerns about how the bill's provisions could impact already thriving truancy intervention programs.

Michael Hanlon, superintendent of the Chardon Local School District who was representing 15 district superintendents from Geauga and Lake counties, said some districts lack the resources required under the bill such as truancy officers.

Other districts, he said, would be hard pressed to form a truancy team because of already full administrator schedules.

"We are concerned that a singular solution is not only an unnecessary step in improving student attendance, but may also run counter to efforts school districts undertake on a daily basis," he said.

Likewise, Granville Exempted Schools Superintendent Jeff Brown, who represents the Alliance for High Quality Education, cautioned against a "one-size-fits-all approach."

"Many districts are already meeting the goals of HB410," he said. "These districts have proven systems in place, good working relationships with juvenile courts, and maintain acceptable, low rates of absenteeism."

"HB410 would cause replacement of these effective programs with a new system that, in many instances, would not yield improvement but would place additional burdens on districts, such as requiring additional reporting to the Ohio Department of Education," he continued.

Geauga County Probate and Juvenile Court Judge Tim Grendell also raised concerns that courts with effective diversion programs for truant students would be cut out of the process because the bill's aim is to make filing with the court a last resort.

In his testimony read by a court liaison, he suggested making the proposed truancy model a pilot program or limiting the provisions to districts struggling with truancy.

Meanwhile, Janet Hales, director of the Ohio Poverty Law Center, urged the bill's passage in its current form.

"If we acknowledge that education is a key to reducing poverty here in Ohio, we must commit to keeping children in their schools," she told the panel.

HB MEDICAID SCHOOL PROGRAM (DeVitis, T.) Regarding the Medicaid School Program.
89 (REPORTED-SUBSTITUTE; 3rd Hearing-All testimony-Possible vote)

The committee approved a substitute measure clarifying that occupational and physical therapists as well as audiologists and speech pathologists can make referrals for or order services.

If the allowances aren't specifically provided for in state law, the state stands to lose up to \$72 million in annual federal reimbursements to the Medicaid School Program next year, witnesses said.

Cheryl VanHoose with the Ohio Physical Therapy Association and Brenda George with the Ohio Occupational Therapy Association said therapists are already ordering services and are well qualified to do so.

"Sub HB89 does not increase the number of Medicaid students or the number of students on IEPs. It does not increase any state or local Medicaid match," Ms. VanHoose said. "Sub HB89 simply establishes clear federal compliance to Ohio's MSP. This is a technical correction that is critical to our continuing ability to serve Ohio's special education students."

SB OPEN ENROLLMENT (Sawyer, T.) To terminate interdistrict open enrollment on that date with the
126 possibility of renewal following the General Assembly's examination of the study's findings.
126 (CONTINUED; 1st Hearing-Sponsor)

The measure would require the Department of Education to study how open enrollment has been implemented in districts across the state and what affects it has on equity, school funding and academic achievement, sponsoring Sen. Sawyer said.

When the law was passed that allowed open enrollment in 1989, it was expected to be a pilot program, but it has continued without examination, he said.

"It is my opinion that a pilot program should not continue for 24 years without a comprehensive study of whether the program was effective in achieving its stated goals," Sen. Sawyer said.

The bill would require special attention to be paid to poor districts and set a deadline for the legislature to act on the ODE report of recommendations related to open enrollment.

When reviewing open enrollment policies, the bill also requires ODE to consider funding model alternatives, Sen. Sawyer said. Currently, the state share of funding follows students to their new school district.

Presentation: State Superintendent of Public Instruction Paolo DeMaria and ODE staff detailed proposed learning standards in mathematics and language arts. The advisory committees that reviewed the standards recommended tweaks for clarity, but no substantive changes. (See Gongwer Ohio Report, October 20, 2016)

Financial Institutions

SB AUTOMATED TELLER MACHINES (Patton, T.) To regulate non-bank automated teller machines.
335 (CONTINUED; 1st Hearing-Sponsor)

Sen. Patton said his bill would create standards for the placement and security of non-bank ATMs, adding there has been an increase in occasions when criminals drive stolen vehicles into convenience stores, knock over ATMs and put them in vehicles before driving away.

He said the bill would require such ATMs to be placed against brick or concrete walls to make it more difficult to remove them from various locations.

He also pointed out that parties may also discuss regulations on the proper amount of cash to be held in ATMs, but said there are times when it would be appropriate for the machines to have a significant amount of cash.

SB LOAN ACT (Peterson, B.) To create the Ohio Consumer Installment Loan Act. (CONTINUED-
355 SUBSTITUTE; 1st Hearing-Sponsor)

Sen. Peterson said his proposal was offered at the request of a group of consumer finance lenders who issue small, traditional loans to Ohioans. He said the consumer installment lenders involved have a strong physical presence in Ohio, and have been operating under the Ohio Mortgage Loan Act for decades.

He said, however, that when many other types of lenders began operating under the OMLA after state laws were changed in regard to the short-term lending industry. As a result of that shift, he said the group seeking the bill is pushing for the creation of a new section of law dealing only with their industry.

Sen. Peterson said the bill copies most of the OMLA and replicates in in new code sections.

The language also specifies that the loans involved must have at least a six-month term payable in equal monthly installments. Further, they could not be refinanced in the first 120 days and not more than three times over 12 months. CILA licensees would also be prevented from accepting or making loans brokered by a credit service organization.

He added that several groups, ranging from lenders to consumer advocates, have reviewed the bill and have expressed no opposition.

Sen. Thomas questioned whether the bill impacts auto title loans and other lending instruments. Sen. Peterson said it doesn't because OMLA doesn't address short-term loan options.

Subscribers please note: Committee testimony is available at [this location](#) under November 29.

Government Oversight & Reform

HBCIVIL FORFEITURES (McColley, R., Brinkman, T.) To modify the laws governing criminal and civil
347 asset forfeitures, to revise the procedures upon a writ of execution of goods claimed by a person other than
 the defendant, and to establish the offense of receiving proceeds of a drug abuse, theft, or human trafficking
 offense and permit the state to file a civil action against the person who allegedly committed that offense
 under certain circumstances. (CONTINUED; 2nd Hearing-Proponent)

Kevin Schmidt, representing the U.S. Justice Action Network, said the bill would not do away with civil asset forfeiture but would instead protect Ohioans from seizure of property without a conviction.

"As current law now stands, Ohio citizens' property could be confiscated without ever being convicted of a crime," he said.

The bill, Mr. Schmidt said, would alleviate a number of concerns about the state civil asset forfeiture program.

HB COMMISSION ELIMINATION (Brown, T.) To formally abolish certain boards and commissions that

471 have completed their work and to abolish the Compact with Ohio Cities Task Force. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Amstutz testified that the bill was an effort by the House to begin the legislative work of the Sunset Review Committee, and that the committee will soon receive a substitute version of the bill with the final report of the Sunset Review Committee.

The Sunset Review Committee accepted a report Tuesday that will become the bill. (See Gongwer Ohio Report, November 28, 2016) That report lists 54 boards, committees or panels to be sunset, 154 to be renewed, and a number of adjustments to boards.

Rep. Amstutz said a companion bill (HB 613) will also have hearings in the House to allow for more public input.

"There may be some tweaking that we may want to do, hopefully together," he said.

HB FIREARMS (Maag, R.) To extend to handguns affirmative defenses to a charge of carrying a concealed **48** weapon or having or transporting a firearm in a motor vehicle, and to modify the prohibition against carrying a concealed handgun onto institutions of higher education, places of worship, day-care facilities, aircraft, certain government facilities, public areas of airport terminals and police stations, and school safety zones. (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

SB LAND CONVEYANCES (Peterson, B.) To authorize the conveyance of, and the granting of perpetual **364** easements to, state-owned real property. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor Sen. Peterson said the bill would allow the Department of Administrative Services to sell, transfer or convey more than 30 properties. The bill does not require the department to sell the land, but allows it to go through the process.

"I believe that Ohio should only own property that it needs for a specific purpose," Sen. Peterson said, noting state-owned property is removed from property tax rolls.

Marcey Earley-Jeter, the administrator for the DAS' Office of Real Estate and Planning, detailed the properties the bill authorized the department to sell.

The properties included 10 sites totaling about 7,415 acres of agricultural land currently owned by the Department of Rehabilitation and Correction.

Answering a question from Chair Sen. Coley, Ms. Earley-Jeter said the proceeds from the sale of those properties would be used only for the state's bond retirement fund. The state also looked into the advantages of leasing the land instead of selling it, and found it would take 30 to 40 years to match the revenue of selling it.

Only about 40-45% of the land around prisons under the control of DRC would be sold, she said, allowing plenty of room for future construction.

"There is additional land should construction in the future need to occur," she said.

State & Local Government

HB LEGISLATIVE SERVICE COMMISSION (Sweeney, M.) Regarding the term of a General Assembly **167** member as a member of the Legislative Service Commission. (**REPORTED**; 2nd Hearing-All testimony-Possible amendments & vote)

Rep. Sweeney said the Legislative Service Commission would stand to benefit from the bill, which would ensure the terms of lawmakers appointed to the LSC by the Senate president and House speaker expire if the lawmaker departs the General Assembly.

"It just makes sense," Rep. Sweeney said, pointing to the board's current makeup which includes several former or soon-to-be former lawmakers.

Former Rep. Barbara Sears is currently a member of the LSC. And Rep. Sweeney said two other members - Reps. Amstutz and Buchy - will soon be private citizens when their terms expire.

Rep. Sweeney said he got the idea for the bill when he became a lawmaker in 2014 and noticed that former Rep. Armond Budish was still a member of the 14-member commission.

Mr. Budish submitted written testimony in support of the bill.

"It is important that the members appointed to govern LSC are current members of the General Assembly," he wrote. "This is necessary for the panel to conduct business in a timely fashion and to ensure that LSC continues to maintain its superior service to the Ohio General Assembly."

HB CHIROPRACTORS (Schuring, K.) To authorize chiropractors to engage in certain activities involving **276** nutrition-related items and therapies, nonprescription drugs, and medical goods and devices.
■ (CONTINUED; 2nd Hearing-proponent)

Chiropractor Keith Ungar, a former president of the Tri-County Chiropractic Association, appeared in person to urge the committee's support for the bill.

"I treat my patients structurally and I also treat their metabolic and neurological conditions through nutritional and healthy lifestyle recommendations in accordance with my training and education," Mr. Ungar said. "House Bill 276 will allow me and every other equally-trained chiropractor to continue to do the same."

He said the bill opens options for patients and said chiropractors often receive patients referred by doctors. "We are working with these doctors as a team to promote good health," he said.

Meanwhile, the Ohio State Medical Association notified the committee in writing it no longer opposes the bill and is now neutral.

"We were able to work with the sponsor of the bill and the interested parties and came forth with several recommended changes to the language," the group said.

Key changes, the OSMA said, include that a chiropractor: can't delegate to any unlicensed person any of the activities outlined in the bill, may engage in the bill's activities only if the product is prepackaged for use by consumers and labeled according to federal and state laws, and may not administer dangerous drugs.

Submitting written proponent testimony were the Ohio State Chiropractic Association and Mentor chiropractor Gary Estadt, who served in several leadership positions in state and national chiropractor associations.

HBMILITARY RECORDS (Perales, R.) To specify that an order for active military service or other **423** documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. (CONTINUED; 1st Hearing-Sponsor)

Rep. Perales said his bill intends to grant military families security, privacy and peace of mind while their military family members are serving away from home.

He said current law doesn't provide guidance on whether deployment orders should be withheld from a public records request for a military member's personnel file.

"Leaving this law up to interpretation is potentially dangerous and Ohio has a responsibility to our public employees and military members everywhere to provide a safe environment for them and their families," he said.

He said the bill would likewise benefit members of the military.

"If you are worried about the wellbeing of your loved ones back home, it's impossible to focus on your job," he said. "When you are not focused on the mission you compromise not only your safety, but also the safety of your colleagues in the field."

Sen. Hackett questioned how the sponsor arrived at language opening the records up to public disclosure after a 15 year period.

"It was just a compromise we worked out with the newspaper folks understanding that a career's usually 2-years," Rep. Perales answered. "There was no exact science. It was pretty much compromise and commonsense."

The Ohio Newspaper Association expressed concerns with the bill during its consideration in the House - concerns later satisfied after negotiations between Rep. Perales and former journalist Rep. Michael Curtin (D-Marble Cliff). (See Gongwer Ohio Report, April 27, 2016)

HB AWARENESS DAY (Anielski, M.) To designate the Saturday before Thanksgiving as "Ohio Survivors of **440** Suicide Loss Day." (**REPORTED**; 2rd Hearing-All testimony-Possible amendments & vote)

Before reporting the bill, the committee received three pieces of written proponent testimony from Ohio State University.

Matthew Fullen, counselor and program manager for OSU's Suicide Prevention Program, said the bill "provides a unique opportunity to bring the reality of suicide and suicide survivorship into the public's awareness."

Counselor Krista Predragovich, a trainer with the OSU program, described the long lasting impact suicide has on survivors.

"Suicide shakes the foundation of a family, particularly when adolescents take their own lives, and parents are left with hopes and dreams for their children that will never come to pass," she wrote.

Paul Granello, an associate professor counselor at OSU who lost a brother to suicide in 1999, also wrote in support of the bill.

SB DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." (**REPORTED** (**No 306** testimony); 2rd Hearing-All testimony-Possible amendments & vote)

SB POLICE TRAINING (Hite, C.) To require the Ohio peace officer training commission to develop and **322**conduct a chief of police training course for newly appointed chiefs of police appointed on or after January 1, 2017, and to require newly appointed chiefs of police of villages, cities, and townships to attend the training course within six months of appointment as a chief of police. (**REPORTED**; 3rd Hearing-All testimony-Possible amendments & vote)

Attorney General Mike DeWine submitted written testimony advocating for the bill's passage. He said he would like to see the bill's definition of "newly appointed chief of police" expanded to include constables, university chiefs, hospital police chiefs and others.

But he said that as a whole the bill "is a great first step in helping to ensure that future police chiefs receive the best possible training to prepare them to be both a steward of the public trust and a leader of peace officers."

SB PRIMARY ELECTIONS (LaRose, E.) To expand the circumstances under which a board of elections or **347**the secretary of state is not required to hold a primary election. (**REPORTED-AMENDED**; 2rd Hearing-All testimony-Possible amendments & vote)

The committee adopted an amendment from Sen. LaRose that adds and subtracts several words, phrases and punctuation but retains the substance of the bill. Sen. LaRose said the amendment is meant to clarify the bill's intent.

Lorain County Board of Elections Director Paul Adams spoke of the recent 8th Congressional District special election. He called the requirement to hold a special primary election with only one candidate running a "glaring issue" that would be fixed by this "well-conceived" bill.

He said the bill would also remedy language that requires a primary election even if only one candidates who filed for election is certified by the local board of election.

"In short, the goal of SB 347 is to save taxpayer dollars, and boards of election from unnecessary work and costs," Mr. Adams said. "It does so while protecting the right of citizens to vote in a primary or special congressional primary if there is more than one candidate to choose from."

Sen. Thomas asked whether the bill would remove the ability for a voter to write in a candidate in an unopposed race.

Mr. Adams replied that write ins are not currently permitted in those cases. "There wouldn't be able to be a write in candidate because current law does not allow you to create a race by writing in a candidate," he said.

Secretary of State Jon Husted submitted written proponent testimony, saying the 8th district special election cost more than \$340,000.

"Eliminating such elections would save considerable taxpayer money," Mr. Husted wrote.

Governor's Appointment: The committee recommended full Senate confirmation for the appointment of Thomas Pascarella to the Ohio Retirement Study Council.

Subscribers Note: For full testimony, see the [committee's website](#) under Nov. 29.

Insurance

HBVEHICLE INSURANCE (Henne, M.) To generally prohibit individuals who do not maintain statutory **279** minimum levels of automobile insurance from collecting noneconomic damages for harm sustained in a motor vehicle accident. (**CONTINUED**; 2nd Hearing-Proponent)

A number of insurance providers testified in support of the bill, saying it would reduce the burden on drivers who carry insurance, as required by law, who get involved in wrecks with drivers who don't.

Jeff Smith, director of government affairs and general counsel for the Ohio Insurance Agents Association, said the bill would protect law-abiding drivers from having their insurers pay non-economic damages to uninsured drivers who have been convicted of driving without insurance and who were responsible for the wreck.

"We believe House Bill 279 will inject fairness into the system by helping responsible drivers," he said.

Sen. Williams asked Mr. Smith if his group would support an amendment requiring drivers to show proof of insurance when they get a driver's license or registration, as opposed to the current practice of signing a document affirming they carry coverage.

"If we really wanted to make sure that they had it we would require that they show proof," she said.

Mr. Smith and others from the insurance industry who testified said people could get around that by buying a policy before renewing a license and cancelling it afterward.

Adding a provision like that to the bill so late in the session could jeopardize the whole measure, Mr. Smith said.

"I'm just not sure that this is the appropriate legislation at this point in time," he said.

Nick Bertke, executive vice president at Marsh & McLennan Agency in Dayton, said the bill would likely have a small impact on the number of uninsured drivers on the road, but would minimize the effect they have on law-abiding drivers.

"The system breaks down when drivers ignore or fail to comply with our financial responsibility laws," he said.

Katie Berry, an independent insurance agent in Worthington, said cases involving uninsured drivers can be serious for the insured drivers who are not involved in the collisions.

"It should be noted that the drivers who are most negatively impacted by uninsured drivers are those who are complying with Ohio's financial responsibility law but only have minimum liability coverage," she said. "When these drivers are involved in a crash with an uninsured driver, it can be financial devastating."

HBOVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition **388**interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (**CONTINUED**; 2nd Hearing-Proponent & opponent)

Kimberly Schwind, senior public relations manager for AAA Ohio Auto Club, said the bill, which would allow a court to grant unlimited driving privileges with an ignition interlock device to first time drunken driving offenders, would play a large role in reducing the number of people killed or injured by drunk drivers.

"Interlocks not only separate drinking from driving, but they help offenders stay legitimately mobile so that they can go to work, they can go to school, they can go to church, they can take care of their families, all while getting the help they might need with substance abuse or risky driving," she said.

Debbie Weir, the CEO of Mothers Against Drunk Driving, said 28 states have passed a version of the bill, and some states have seen a drop of as much as half in their drunken driving fatalities.

The bill helps keep people who are drunk from driving more effectively than prison time or the threat of arrest, and by having it start with the first offense, it could stop more dangerous activity.

"It's not just the second time that you are caught and convicted before you are a problem on the roads," she said.

The bill has been called "Annie's Law," after a woman from Chillicothe who was killed by a drunk driver in 2014. Richard Rooney, Annie's father, said the bill is something Ohioans want to see put into law.

"The people of Ohio, through their House of Representatives by a vote of 87-6, want this law to save lives," he said.

SB UNIVERSAL HEALTH CARE (Skindell, M., Tavares, C.) To establish and operate the Ohio Health Care **137** Plan to provide universal health care coverage to all Ohio residents. (**CONTINUED**; 1st Hearing-Sponsor)

Sens. Skindell and Tavares testified that the bill would create the Ohio Health Care Plan, a single-payer health care plan for all Ohioans.

Health care costs are a burden on all Ohioans, Sen. Skindell said, and the program would not only provide care for everyone, but would reduce costs by eliminating billions of dollars in administrative costs.

"It is a burden on individuals and employers alike," he said. "Even with the Affordable Care Act, we have not obtained universal health insurance in our country."

Sen. Skindell said the bill would not create socialized medicine, in which all parts of the health care system are run by the government, but would create one payer for all private health care providers to bill. The system would be funded by a combination of payroll and income taxes, he said.

Sen. Tavares said the program would help people who currently struggle to pay for health insurance or health care.

"A single-payer system is best for Ohio because it increases access to care with minimal financial barriers," she said.

"While the state of Ohio has expanded Medicaid under the Affordable Care Act, there are still those who have fallen through the cracks and do not have health insurance," she added.

Energy & Natural Resources

SB RENEWABLE ENERGY (Seitz, B.) To revise the requirements for renewable energy, energy efficiency, **320** and peak demand reduction, to permit property owners to petition municipal corporations and townships for the purpose of developing and implementing special energy improvement projects, to govern condominium association participation in special improvement districts, to require deployment and permit cost recovery of advanced energy analytics technology by electric distribution utilities, and to revise the law governing net metering service provided by electric utilities and electric services companies. (CONTINUED (See separate story); 4th Hearing-All testimony)

SB ENVIRONMENTAL LAWS (Hite, C.) To revise specified laws relating to environmental protection. **333** (CONTINUED-SUBSTITUTE-AMENDED; 3rd Hearing-All testimony)

The committee adopted a substitute bill and a technical amendment from Sen. Hite pertaining to blast furnace steel slag.

Sen. Hite said the substitute bill came from interested party meetings and will serve as the "working" version of the bill moving forward.

The bill's changes include in part:

--Shifting the reporting deadline for the Lake Erie Commission from annually to biannually.

--A requirement the head of the Division of Wildlife to adopt rules establishing a risk assessment procedure for various species.

--New language stating the OEPA director or a board of health shall not issue a license for a processing facility at a location within 500 feet of an occupied dwelling and a stipulation that the bill language does not apply to a facilities in operation prior to the bill's effective date.

--The removal of language stating soil contamination occurs in part when construction or demolition debris having characteristics threatening public, plant or animal health unreasonable interfere with the comfortable enjoyment of life or property.

--Language permitted the director to initiate "appropriate action" or legal and equitable remedies to abate pollution or contamination to protect public health and safety from a property where solid waste, construction or demolition debris poses a substantial public threat.

Ohio Manufactured Homes Association Executive Director Tim Williams, an opponent, said the MBR bill contains similar language that the group opposed during the last budget.

Although the group has made some progress in reaching a compromise with the Ohio Environmental Protection Agency, he said, members remain concerned the bill would expand the power of the EPA director to the extent it may deny due process for owners of manufactured home parks in instances of receivership proceedings.

"As introduced, the director would be granted a vast expansion of power to maintain lists of receivers, provide that list with a priority to the court and be able to deny the owner of the system with the opportunity to consent to the entity named as the receiver," he said. "Denial of the owner's joint consent would allow the EPA to be the only body in the state to deny a property owner due process in naming the entity that will essentially take over its property."

He also said language requiring the implementation of asset management programs marks an unfunded mandate on business operators.

"We can support having a 'plan' on file as suggested in the U.S. EPA documents," he said. "However, the SB333 bill language of 'program implementation' and the written EPA response to our concerns indicates they know to use the word 'program implementation' leads to much more extensive costs and time for a problem that doesn't exist and clearly goes beyond even the federal EPA's requirements."

On the opposite side, Greater Cleveland Partnership Senior Vice President Marty McGann, a proponent, said in written testimony the group specifically supports provisions regulated to safe disposal and use of dredged material from federal navigation channels.

"GCP has long partnered with the Ohio Environmental Protection Agency and the Cleveland-Cuyahoga County Port Authority to advocate for consistent, timely dredging of the Cuyahoga River," Mr. McGann said. "We have also worked collectively to advocate against open lake disposal of dredged materials. Senate Bill 333 provides an enhanced regulatory framework to support these efforts, ensuring our waterways remain key attractions for quality of life, job creation and economic development."

Subscribers Note: For full testimony, see the [committee's website](#) under Nov. 29.

Finance

HB HIGHER EDUCATION AUDITS (Schaffer, T., Duffey, M.) To specify that state institutions of higher **384** education may be subject to performance audits conducted by the Auditor of State. (CONTINUED-AMENDED; 2nd Hearing-All testimony-Possible amendments)

Shawn Busken, policy director for the Ohio Auditor of State's office, testified in support. He said the bill allows the office to conduct a performance audit on higher education institutions as a way to identify potential efficiencies and savings.

Ohio State University has volunteered to undergo the audit, he said, and the university should be applauded for its leadership and interest in finding potential cost savings.

Mr. Busken also said three amendments that the panel adopted later had been worked out with the Inter-University Council.

Sen. Tavares asked whether cost caps are typical in terms of performance audits. Mr. Busken said the caps included in one of the amendments are comparable to cost normally tied to state agency performance audits.

Tom Walsh of the Ohio Association of Community Colleges also backed the bill, saying two-year colleges are looking for ways to reduce costs and keep educational services affordable.

Chair Oelslager amended the bill to establish cost caps for the higher education audits. He also won support for changes to specify that the audits will not review institutional academic performance and to give institutions access to an AOS revolving loan fund that helps pre-pay for audit costs.

HB STATE FINANCING (McClain, J.) To authorize the Treasurer of State to issue revenue obligations of the **435** state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. (CONTINUED; 1st Hearing-Sponsor)

Rep. Blessing told the panel the bill creates a state bond bank that allows the state treasurer to issue bonds for the purpose of providing low-interest loans to local governments.

He said the change would benefit lower governments by reducing borrowing costs and improving governments' access to capital.

SB ACADEMIC DISTRESS COMMISSIONS (Schiavoni, J.) With regard to the operation of academic **230** distress commissions and to modify the earmarked funding for the establishment of academic distress commissions. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Schiavoni said his bill responds to the enactment of legislation (HB70) last session that altered the control of the Youngstown school district. He said the bill is the product of community discussions regarding the control change, but said it was too bad the bill was getting its first hearing so late in the session.

He said the proposal doesn't scrap the CEO model that was instituted, but establishes safeguards, gives the district more time to succeed and requires a community usage model.

SB BANKING LAWS (Hughes, J., Coley, B.) For the purpose of enacting a new banking law for the State of **317** Ohio. (**REPORTED-SUBSTITUTE**; 4th Hearing-All testimony-Possible amendments & vote)

The substitute bill (comp doc) makes several changes, including clarifying the role of the Director of Commerce in the absence of a Superintendent of Financial Institutions; returns to existing law the requirements for deputy superintendents; deletes language requiring the superintendent to prepare a salary schedule and defines "mutual state bank," among other things.

Health & Human Services

HB NURSES (Pelanda, D.) To revise the law governing advanced practice registered nurses. (**CONTINUED**; **216** 2nd Hearing-Proponent-Possible amendments)

A substitute is expected to be adopted during the scheduled Wednesday morning hearing. That version, according to Chair Jones, will reflect ongoing discussions but will not change the thrust of the legislation.

Cindy Rinehart, president of the Ohio Association of Advanced Practice Nurses, said the substitute bill represents nearly two years of meetings, negotiations and hard work to modernize the APRN practice act. He declared the bill contains important changes to Ohio law which will provide Ohioans with improved access to health care services.

Specifically, Ms. Rinehart outlined a number of changes being proposed by the bill. These include instituting a 120-day buffer period for an emergent loss of a collaborating physician; licensing APRNs to practice and prescribe with one license without requiring a certification for prescribing as recommended by the National Council of State Boards of Nursing; allowing non-psychiatrists to collaborate with Psychiatric Mental Health APRNs; and increasing the prescribing parameter ratio of APRNs to physician collaborator from 3:1 to 5:1.

Other improvements made by the new bill, Ms. Rinehart said, include increasing continuing educational requirements for licensure including a focus on pharmacology; extending the validity of advanced pharmacology course from three to five years; and giving APRNs patient privilege to include testimonial privilege providing protections for both the APRN and the patient.

Written support for the bill was submitted by Nancie Bechtel, Assistant Health Commissioner and Chief Nursing Officer for Columbus Public Health. She said allowing APRNs to practice to the full extent of their license will enable them to reach and treat the most isolated, disenfranchised members of society including the homeless and others will rarely or never take themselves to a medical building for care. She added the bill will allow public health departments and others with clinical facilities to serve more people without employing more physicians to oversee the work that APRNs are already trained to do.

Ms. Bechtel assured committee members that APRNs are not a threat to the medical profession because any medical condition that is found to be unusual or severe will be referred to a physician colleague. And, she added, that because the nurse has been able to establish a trusting relationship with those he or she serves, very sick clients will go for the care they desperately need.

From her perspective as a public health nurse, Ms. Bechtel pointed to a shortage of primary care providers in Columbus and across the state. She acknowledged a 2015 RAND health study that found removing needless restrictions on APRN practice laws could increase access to primary care and reduce emergency department visits by some 70,000 visits per year resulting in millions of dollars in savings for the state as people will seek out primary care sites rather than using ER services for their primary care.

HB PRESCRIPTION REFILLS (Sprague, R.) To authorize pharmacists to dispense multiple refills of a **285** prescription simultaneously under certain circumstances. (CONTINUED; 2nd Hearing-Proponent)

Written testimony in support of the measure was submitted by the American Cancer Society Cancer Action Network and Walgreen.

Jeff Stevens of the ACS said allowing a pharmacist to be able to fill a 90-day supply of a prescription drug that is not a controlled substance can help improve the quality of life for cancer patients as they undergo treatment. He added that allowing patients access to 90-day prescriptions makes management of multiple medications easier for the patient and could lead to better coordination of care and improved quality of life for patients and their families.

Karen Sisson, Walgreen's senior regional director for government relations, said that patient non-adherence to their prescription drug regimen is a significant cost driver in healthcare and is associated with higher hospitalization and mortality rates. She reported that recent studies have demonstrated that 90-day retail prescriptions increase medication adherence by as much as 15% over 30-day prescriptions minimizing multiple community pharmacy visits.

In addition, Ms. Sisson said that the single 90-day retail prescription option produces clear savings compared to three separate 30-day fills. Meaningful savings, she added, are created through lower reimbursements due to reduced dispensing fees and related ingredient costs. And, she said patients save money by switching to 90-day prescriptions and decreasing their out-of-pocket costs.

HB TERMINAL PATIENTS (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient **290** with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party)

HB PALLIATIVE CARE FACILITIES (Schuring, K.) Regarding palliative care facilities. (CONTINUED **470** (No testimony); 2nd Hearing-Proponent)

HB BIOLOGICAL PRODUCTS (Huffman, S., Pelanda, D.) Regarding the regulation of biological products **505** and the substitution of interchangeable biological products when dispensed by pharmacists. (CONTINUED; 3rd Hearing-Opponent & interested party-Possible amendments)

Miranda Creviston Motter, president and CEO at Ohio Association of Health Plans, said in written testimony OAHF supports legislation that acknowledges biosimilar medication and allows the FDA-approved substitution of biologic medication but opposes unnecessary and burdensome requirements that would impede the dispensing of biosimilar or interchangeable biologic medications.

She said the bill as currently drafted aligns with OAHF's position, with one exception - that being it gives the Ohio Pharmacy Board discretion to promulgate rules that are inconsistent with FDA standards and failing to provide any clear criteria or standards for the board to follow when deviating from the national standard.

Ms. Motter noted they have been told the language resulted from a constitutional issue regarding Ohio ceding its authority to a regulator. She added, however, this is not a new concept and there are a number of examples in the Revised Code where the state relies on national law, regulations and expertise to ensure consistent standard on various issues. She said the legislation, in its current form, deviates from most other states' recent legislative activity relative to the substitution of interchangeable biological products.

To address the concern, OAHP offered language to clearly define the criteria that the Ohio Pharmacy Board must review if it decides to exclude an FDA-approved interchangeable product. Ms. Motter, noting that the board doesn't have any concerns with the proposed amendment, said the criteria is consistent with federal law and would align with FDA guidelines.

SB HOSPITAL CARE (Lehner, P.) To provide for the designation of a lay person to provide after-care to a **314** hospital inpatient and participate in discharge planning. (**CONTINUED**; 4th Hearing-All testimony)

Jeff Stephens of the American Cancer Society submitted written testimony in support of this bill, saying it recognizes the critical role family caregivers play in supporting their family members after a hospital discharge. To put the issue in context, he reported one in two men and one in three women will be diagnosed with cancer of some type in their lifetime with over 66,000 new cases diagnosed this year and over 25,000 cancer-related deaths will occur in Ohio.

Mr. Stephens said family caregivers perform a variety of caregiving duties and, now that people are living longer, the role of the family caregiver has dramatically expanded to include performing more complex medical and nursing tasks with little to no training. He continued that cancer patients often rely on caregivers to help them coordinate their care, manage their medications, provide transportation to outpatient treatment and help with activities of daily living. He said the Ohio Caregiving Act's focus on involving patients and their designated caregivers in discharge planning and providing training for necessary after care tasks can help patients receive the care they need at home. At the same time, it will also help provide caregivers themselves with more confidence and preparedness as they look after their loved ones, he said.


SB OUTPATIENT TREATMENT (Beagle, B.) Regarding minors and outpatient mental health treatment. **42** (**CONTINUED (No testimony)**; 5th Hearing-All testimony)

Governor's Appointments: The committee also recommended full Senate confirmation of a number of Governor Kasich's appointments: Stephanie Loucka as Director of the Department of Aging; Billy Anderson, Jr., Ashok Das, Michael Ginder and Kumar Subramanian, D.D.S., to the State Dental Board; Raymond Mancini, John Patton, III, James Armile and John Stainbrook to the Ohio Athletic Commission; Michael Aquillo to the Ohio Respiratory Care Board; Michael Pratt to the Hearing Aid Dealers and Fitters Licensing Board; Ronan Factora to the State Medical Board; Paul Schoonover to the Chemical Dependency Professionals Board; Christopher Taylor to the Ohio Board of Dietetics; Fred Weaver, Kilee Yarosh, Timothy Bechtold to the State Board of Pharmacy; Jason Dapore, Hollie Kozak, Chad Miller and Jennifer Wissinger to the Occupational Therapy, Physical Therapy, and Athletic Trainers Board.

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House Activity for Tuesday, November 29, 2016

INTRODUCED AND REFERRED

HB UNEMPLOYMENT COMPENSATION (Schuring, K.) To increase the taxable wage base under the **620** Unemployment Compensation Law, to temporarily freeze the maximum amount of weekly unemployment benefits a claimant may receive, to revise the amount of dependent unemployment benefits a claimant may receive and to make other changes in Ohio's Unemployment Compensation law. Am. 4141.01, 4141.25, 4141.251, 4141.281, 4141.29, 4141.30, 4141.35, 4141.43, and 4141.53 and to enact section 4141.252

Government Accountability & Oversight; CONTINUED (See separate story)

Gongwer Coverage

INTRODUCED

HB HEROIN ADDICTION (Antani, N.) To establish a program to reduce heroin addiction and death rates in **621** Ohio and to make an appropriation. En. 5101.93, 5101.931, 5101.932, 5101.933, 5101.934, 5101.935, 5101.936, 5101.937, 5101.938, 5101.939, and 5101.9310.

PASSED

SB DEATH DESIGNATION DEEDS (Bacon, K.) To amend the law related to transfer on death designation **232** deeds and affidavits.

89-1 (Vitale)

Gongwer Coverage

HBSCHOOL CONSOLIDATIONS (Patterson, J., LaTourette, S.) To require the Ohio School Facilities **148** Commission to provide classroom facilities assistance to a school district resulting from the consolidation of two or more school districts or from the voluntary transfer of the entire territory of a school district if specified conditions are satisfied.

74-15

Gongwer Coverage

HB STATE CONTRACTING (Schuring, K.) To prohibit a state agency from contracting with a company that **476** is boycotting Israel or disinvesting from Israel.

81-13 (Amended)

Gongwer Coverage

HB BILITERACY (LaTourette, S., Roegner, K.) To require the State Board of Education to establish the state **487** Seal of Biliteracy to be attached or affixed to the high school transcripts of qualifying students.

86-3 (Boose, Merrin & Vitale)

Gongwer Coverage

HB MONTH DESIGNATION (Johnson, T., Huffman, S.) To designate the month of November as "One Health Awareness Month."

87-4

Gongwer Coverage

HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS

HB TAX EXPENDITURES (Boose, T.) To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing tax expenditures and to prohibit the Director of Administrative Services from making purchases by competitive sealed proposal without prior Controlling Board approval.

1-94 (Ashford)

Gongwer Coverage

COMMITTEE HEARINGS

Local Government

HB PARK COMMISSIONERS (Boccieri, J., Clyde, K.) To require boards of county commissioners to appoint additional park board commissioners and allow for public comment during appointment process.
(CONTINUED; 1st Hearing-Sponsor)

Rep. Clyde said the bill alters the process by which additional park board commissioners are appointed by granting appointment authority for up to two additional members to county commissioners.

She said the bill responds to a situation in Mahoning County, where park commissioners executed a number of layoffs in "poor taste," generating controversy for the park district.

She said the measure preserves probate judges' ability to appoint board members, but said adding additional appointment authority for county commissioners would make the process more democratic. The change, the lawmaker said, would generate more accountable park district boards.

HB MAIL DELIVERY (Hambley, S., Ryan, S.) To authorize local governments and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (CONTINUED; 1st Hearing-Sponsor)

Rep. Hambley said the bill would help local governments reduce the cost of notifying citizens of impending actions by replacing the current certified mail requirement with first class mail and an electronic notice.

The change, he said, is similar to law through which local governments notify sex offense victims about changes in offenders' addresses.

While he said communication is a tenant of good government, the bill looks to cut costs for notices that might not be as useful as they once were. He said an estimate from the Cuyahoga County Board of Revision showed that 85% of certified mail sent is returned as unclaimed or undeliverable.

Rep. Hambley told Chair Anielski that other states have similar processes in place.

Rep. Rogers said he understood the cost-saving angle, but raised concerns about the change in terms of the home foreclosure process. Rep. Hambley said he didn't think the bill impacts foreclosure actions, saying that due process is a key issue in foreclosure actions.

HB PUBLIC RECORDS (Ryan, S.) To exempt from the Public Records Act financial account numbers and identifying information in public records and to provide that taxpayer electronic mail address lists used by county treasurers to deliver tax bills are not public records. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Ryan told the panel the bill makes changes that limit public access to sensitive financial information that could be misused. He said the county treasurer-requested changes prohibit the release of account numbers on checks and other documents and exempt county-maintained email address lists from disclosure.

The concern with the release of the latter information, he said, involves potential efforts to generate and send fraudulent property tax bills. Rep. Ryan said check copies would continue to be public records.

Rep. Ryan told Rep. Ruhl that the bill is primarily focused on securing account numbers, rather than bank routing numbers.

Subscribers please note: Committee testimony is available at [this location](#) under Nov. 29.

Insurance

HB SELF INSURANCE (Schuring, K.) To enable state colleges and universities to establish joint self-insurance pools. (**REPORTED (No testimony)**; 4th Hearing-All testimony-Possible vote)

SB FIREFIGHTER CANCER (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (**CONTINUED (See separate story)**; 3rd Hearing-All testimony-Possible amendments, substitute & vote)

Subscriber's note: Full testimony is available on the [committee's website](#) under Nov. 29.

Financial Institutions, Housing & Urban Development

HB CROWDFUNDING (Arndt, S.) To permit intrastate equity crowdfunding under certain circumstances. **593** (**CONTINUED**; 2nd Hearing-Proponent)

Brandon Ogden, director of the Small Business Council for the Ohio Chamber of Commerce, said his group supports the bill "as we recognize that crowdfunding is an increasingly emerging tool for entrepreneurs to gain access to capital for their start-up or small business."

"This option for raising capital fills a void that traditional lending cannot always fill. Crowdfunding investments are already taking place in Ohio and throughout the U.S. but this legislation authorizes the use of intrastate crowdfunding and it creates uniformity and places guidelines on the practice," he said. The bill "will permit Ohioans to invest directly in startup businesses through an online portal known as the OhioInvests Portal. This portal will provide the intermediaries with a means to offer and sell the securities to investors."

Mr. Ogden said Michigan, Wisconsin, Delaware and North Carolina have either considered or passed similar laws.

Rep. Kent Smith asked if there were any "unintended consequences" that had arisen from such legislation. Mr. Ogden said he wasn't aware of any and that it had been well supported in other states.

Jamie Beier Grant, director of the Ottawa County Improvement Corporation, provided written testimony in support of the bill.

HB LOAN ACT (Terhar, L.) To create the Ohio Consumer Installment Loan Act. (**CONTINUED-598** **SUBSTITUTE**; 2nd Hearing-Proponent-Possible substitute)

The committee adopted a substitute version that sponsor Rep. Terhar said was the product of extensive work with the Department of Commerce and interested parties. Among other things, the new bill includes changes